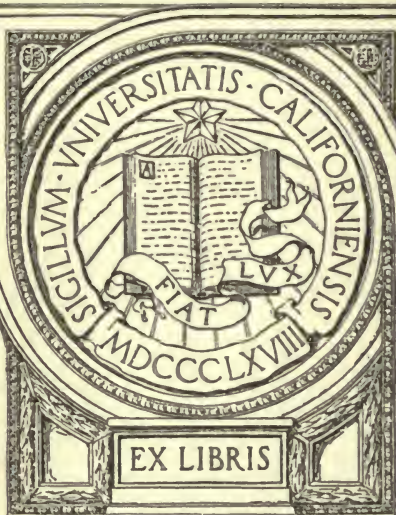




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SELECT ORATIONS
OF
M. T. CICERO,
&c. &c.



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SELECT ORATIONS
OF
M. TULLIUS CICERO,

FROM THE TEXT OF

JO. CASP. ORELLIUS,

WITH

NOTES,

CRITICAL AND EXPLANATORY,

FOR THE USE OF SCHOOLS AND COLLEGES.

BY

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MASTER OF THE KINSALE ENDOWED SCHOOL.

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PREFACE.

MAIN

THE want of a useful edition of the Orations of Cicero which are usually read in schools and colleges, has long been felt and acknowledged.

The Delphin edition, the only one available to the generality of students, was, perhaps, of all the Delphin classics, the least deserving of the patronage of the learned. The text was corrupt, the annotations were not drawn from the best sources, and the principal difficulties left unnoticed. When to this it is added, that typographical errors had been permitted to accumulate in the successive editions, so as, in many instances, to render the meaning of passages either unintelligible or exceedingly obscure, it will readily be admitted, that a favourable opportunity was afforded for the publication of a new edition, which should at least attempt to supply the deficiencies, and avoid the glaring errors of its predecessors.

This task has been attempted in the present publication. The text of Orellius has been adopted; whose elaborate edition of the works of Cicero, published at Zurich, 1826,—1830, displays the strictest attention to sound critical principles; avoiding equally an obstinate adherence to ancient but unauthorized readings on the one hand, and reckless innovation on the other.

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The next care of the Editor has been to supply the want of *copious explanations* of the difficult passages with which these Orations abound. The Editor is aware that some have objected to copiousness of annotation, as tending to prevent research in the student, and have urged the propriety of merely giving references to the proper sources of information ; and no doubt such a plan would be highly deserving of adoption, if these sources were always accessible to the student. But as this is not the case, the Editor hopes to be excused for having laboured to make his explanations as full as possible.

Another important subsidiary element in the study of Cicero, is the observing the minute but elegant turns of thought with which he abounds ; the amazing force and propriety of the expressions, even where his mind would appear to be carried away with the rapid flow of his eloquence. These never fail to strike an examiner, and require that the attention of the student should be directed to them wherever they occur. This, it is hoped, the Editor has not failed to effect.

Closely connected with this attention to the niceties of the Author, is the careful observation of the mutual dependence of the various arguments, which, being obviously necessary to a comprehensive view of the whole, has been carefully pointed out. Historical Introductions have been prefixed to the Orations, with *analyses* of the contents. In these, the Editor has adopted the plan, and, in many instances, the matter, of the *argumenta*, given by Schütz, in his edition of Cicero.

And here, perhaps, the Editor's task should have closed, and all the apparatus of history, antiquities, &c., should be left to be derived from the authors who professedly treat of these subjects ; but, aware that very many students are so circumstanced as to be unable to command the perusal of these

authors, the Editor felt bound not to omit brief notices of such points of history, antiquities, &c., as occur. Still, however, he would not have it supposed, that these ought to supersede the perusal of the proper treatises, from which alone, masterly views on these subjects can be obtained.—With this object, and conceiving that there may be some,

“ ——— quibus arte benigna
Et meliore luto finxit præcordia Titan,”

the Editor has not failed to mark the various references to the works from which his facts and explanations are derived; and he has frequently referred to passages which might confirm or illustrate the view which he has taken; to enable such students as enjoy the requisite facilities, to compare the passages themselves, and form their own opinion.

With regard to the sources from which the annotations have been derived, they are so varied, and the alterations which it was found necessary to make, in adapting the matter which they supplied to the design of the work, so great, that the names have been generally omitted, except where it seemed necessary for the Editor, in confirmation of his own opinion, to avail himself of the *argumentum ad auctoritatem*. He must not, however, omit to state, that many of the notes of Valpy's edition of the select orations of Cicero, anticipating, as they often did, his own views, have been inserted and duly acknowledged.

The Editor has only to express his hopes that this Edition will be found useful, as well for collegiate purposes, as also in those schools where the Orations of Cicero form a part of the course of study. With this view, principally, the notes have been written in English rather than in Latin, and various explanations of the less obvious words and phrases inserted for the benefit of the junior class of students.

It will be observed, that the Orations against Catiline,

should have followed the Oration for the Manilian law; but to suit the convenience of those students who are obliged to make these and the Philippics the object of study for a particular examination, they have been removed to their present place.

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THE FOLLOWING CONTRACTIONS OF THE NAMES OF COMMENTATORS, ETC., HAVE BEEN USED :

- Orel.* for Orellius.
Manut. — Manutius.
Forcel. — Forcellinus. (See his Lexicon by Bailey.)
Sch. — Schütz.
Abram. — Abramius.
Ern. — Ernesti.
Græv. — Grævius.
V. E. — the Valpy Edition or Editor.
Sylv. — Sylvius.
Hottom. — Hottomanus.
Delph. — the edition by the Dauphin editor, Merouille.
&c., &c., &c.

ERRATUM.

In some copies, p. 100, line 7, supply *ad* after *Lanuvium*.

INTRODUCTION TO THE ORATION

FOR THE

MANILIAN LAW.

1. IN the year of Rome 687, Cicero, then elected prætor, pronounced this oration in favour of a law proposed by C. Manilius, tribune of the people, which had for its object the appointment of Pompey to the command of the Mithridatic war. The fortunes of this war, therefore, and the character of Pompey, being the chief subject of the oration, it may be of use to state them more in detail than could be expected from the orator, within the limits of a popular address.

2. Mithridates the great, who succeeded to the throne of Pontus, A. U. 634, was the son of Mithridates, surnamed Evergetes, a monarch of considerable abilities, who, by his services in the war with Aristonicus,* gained the friendship of the Roman people, and a grant of Phrygia Major. The resumption of this territory from the son during his minority, laid the foundation of that hatred to the Romans, which became the ruling principle of his life, and gained him the appellation of a second Hannibal. The first evidence of it appeared in his procuring the assassination of Ariarathes, king of Cappadocia, their old ally, and seizing on his kingdom. This violent act demanded the interference of the Romans, who expelled him from Cappadocia, and declared the country free. Finding, however, that the people preferred a

* Aristonicus was the illegitimate brother of Attalus, king of Pergamus, who bequeathed his kingdom to the Roman people. To this kingdom he laid claim, and the senate was obliged to send a consular army under Crassus to support their pretensions. This army was routed by Aristonicus; but Perpenna, the consul for the following year, A. U. 623, retrieved the honour of the Roman arms, and took Aristonicus prisoner.

monarchy,* they appointed Ariobarzanes, a noble of the country, king. But the same intrigues which had effected the murder of the former king, proved no less successful in accomplishing the dethronement of his successor. Accordingly, A. U. 661, we find Sylla employed in restoring Ariobarzanes to his throne.

3. In the mean time, Mithridates, with a view to extend his influence, gave his daughter in marriage to Tigranes, king of Armenia, who, at his instigation, expelled Ariobarzanes a second time. Nicomedes, king of Bithynia, shared a similar fate; and the senate of Rome being appealed to by the monarchs, appointed a commission, at the head of which was M. Aquilius, a man of consular rank, to reinstate them in their respective dominions; a proceeding to which Mithridates offered no opposition.

4. The rapacious spirit of the Romans, and perhaps, the ambition of Mithridates, soon provoked a war. The king was every where victorious; he expelled the monarchs once more; and extending his conquests to Asia Minor,† finally captured the Roman leaders, Oppius, Cassius, and Aquilius, of whom Aquilius was put to death, being forced to swallow melted gold as a stigma on the Roman avidity. At the same time he directed, by circular letters, a general massacre of the Italians throughout Asia. He then carried the war into Macedon and Greece, a great part of which he overran with his troops before the arrival of Sylla, (A. U. 666,) the general appointed to oppose him; Murena and Lucullus, who afterwards signalized themselves against Mithridates, being among Sylla's officers. This war, of which Greece was the principal theatre, and in which Athens suffered most, after a series of victories by Sylla, terminated in a peace, by which the monarchs were again restored, and Asia evacuated. This is reckoned by Appian THE FIRST MITHRIDATIC WAR.

5. In the mean time, the Marian faction, during the absence of Sylla, being triumphant at Rome, appointed the consul Valerius as his successor in the province, who, on his arrival in Asia, was killed by his lieutenant, Fimbria, in a mutiny of the troops. Fimbria, whose bravery was equal to his villany, for some time prosecuted the war against Mithridates with vigour; but finding his troops deserting to Sylla, he stabbed himself to avoid falling

* This choice of the Cappadocians is supposed to be alluded to by Horace.—
 'Mancipiis locuples eget æris Cappadocum rex.' Epist. ii. 6. 39.

† Asia Minor, now Anatolia or Anadoli, (from ἀνατολή, the east,) was a name adopted in the middle ages, for the countries lying between the Euxine and Mediterranean seas. At this time it comprised only the countries along the Propontis and Ægean, of which Pergamus was the Capital.

into the hands of his enemy. This army formed the Valerian or Fimbrian legions, whose turbulence afterwards proved the ruin of Lucullus, and which were now intrusted to Murena, on the departure of Sylla for Rome, A. U. 670, whither the exigencies of the state called him. On his arrival there he obtained a triumph.

6. Murena soon found a pretext for renewing the war, to which he was prompted by avaricious views, in the warlike preparations of Mithridates against the Bosporani, a people of the Cimmerian Bosphorus; which, after it had continued for three years without any action of importance, terminated by a general engagement, fought on the river Halys, in which both parties claimed the victory. For Sylla, who was now dictator, ordered a cessation of hostilities and a renewal of the peace. He then recalled Murena, and honoured him with a triumph, A. U. 672; and thus ended, according to Appian, THE SECOND MITHRIDATIC war.

7. Sylla dying, A. U. 675, before the treaty was ratified, Mithridates, encouraged by the success of Sertorius, and by the disorders which the remaining Marians, under Lepidus, had excited in the state, resolved to renew the war. Tigranes led the way, by invading Cappadocia, and carrying off the inhabitants of twelve Greek cities to people his favourite capital, Tigranocerta. In the mean time the king of Bithynia dying, bequeathed his kingdom to the Roman people, which they proceeded to reduce into the form of a province. To prevent this, Mithridates attacked it by sea and land, and at the same time sent to Sertorius, then in Spain, offers of an alliance, and received in return some experienced officers to command his fleets.

8. The generals sent to oppose him were the consuls of the year, (679,) Lucullus and Cotta. Lucullus had the command of the Fimbrian legions; Cotta, of the fleet. The land forces of the king amounted to 180,000 men; the fleet reckoned 400 ships.—Cotta, who had proceeded to Bithynia, suffered a defeat which obliged him to retreat to Chalcedon, one of its maritime cities, and there sustain a siege. Lucullus forced Mithridates to raise the siege of this city, as also of Cyzicum, a town of the Propontis. Still he was able to despatch a large fleet to Italy, to the assistance of Spartacus; but being met by Lucullus, near Tenedos, it was intercepted and sunk. The king was soon after obliged to evacuate Bithynia, and fall back on Pontus, whither he was pursued by Lucullus: his cities taken, his armies routed, himself driven out of his native kingdom, and Pontus opened to the Roman legions. On this occasion he narrowly escaped falling into the hands of Lucullus's cavalry; who, tempted, however, by the

booty which the king abandoned to them in his flight, gave up the pursuit.

9. An asylum was now afforded him by Tigranes, whose dominions Lucullus invaded, and invested Tigranocerta. Two splendid victories over the combined forces of the kings, left Armenia at the mercy of the Roman general, who was proceeding to attack Artaxata, the old capital of Armenia, and depository of the treasures of Tigranes, when a spirit of insubordination manifested itself among the legions, especially the Fimbrian. They refused to march, and forced Lucullus to retire to winter quarters at Nisibis in Mesopotamia. The kings returned to their respective dominions, collected their forces, and while Tigranes confined Fannius, one of Lucullus's lieutenants, in a castle of Armenia, and collected his forces to invade the province, Mithridates, in Pontus, defeated, in turn, two others, Fabius and Triarius.

To complete the disaster, Glabrio, the consul of the year (686), whom the tribune Gabinius, at Rome, by false representations of the wealth and avarice of Lucullus, had procured to be appointed his successor, arrived in Bithynia; and, by a decree, commanded the soldiers no longer to obey Lucullus, now reduced to the rank of a private citizen.

The decree was obeyed; the Fimbrian veterans received their discharge; and the remaining troops were sent to Glabrio.

10. In the mean time the example of Gabinius was followed at Rome by the tribune Manilius, who, wishing to ingratiate himself with the people by flattering their favourite, Pompey, proposed the law in question. Equally interested were the views of Cicero in supporting it, who hoped for Pompey's patronage in obtaining the consulship to which he now aspired. The law was carried, and Pompey, who was then in Cilicia, extinguishing the remains of the piratical war, immediately assumed the command. Lucullus returned to Rome, and having with difficulty obtained a triumph, retired from public life, and passed the remainder of his days in philosophic ease.

11. Pompey, who had thus, by the influence of turbulent tribunes, (as Cicero himself subsequently owned, *Phil. viii. 13.*) succeeded to the command of all Asia, was now in his fortieth year. He was the son of Pompeius Strabo, a distinguished general in the Italic war, in whose army, while yet a boy, he learned the military art; and, after his father's death, served for some years under Cinna.* On the return of Sylla from Asia, *A. U. 670*, Pompey,

* *Plut. (Pomp. 5.)* says, that the mutiny of Cinna's troops, in which he was killed, arose from a suspicion of his having murdered Pompey.

then about twenty-three years of age, joined him with three legions, which he had credit to raise in Picenum. Having, on his march, defeated Brutus, a Marian leader, Sylla rose up at his approach and saluted him, IMPERATOR.

12. The following year, he defeated two large armies of Carbo, the successor of Cinna, at Præneste and Clusium; and pursuing Carbo, himself, who fled to Sicily, he took the island, and put him to death. He then, in the short space of forty days, reduced Africa, which was held by Domitius, the son-in-law of Cinna, assisted by Hiarbal, king of Numidia. Being thus conqueror of Africa at the age of twenty-four, he was recalled to Rome, and, according to Plutarch, saluted by Sylla with the title of Magnus,* and obtained a triumph, being still a Roman knight.

13. Sylla now resigned the dictatorship, and Pompey used his influence in promoting Lepidus to the consulship, who revived the Marian cause, and was declared a public enemy. M. Brutus, the father of the Tyrannicide,† was now in Cisalpine Gaul, and declared for Lepidus. Pompey being sent thither, defeated and slew him in time to join Catulus, the other consul, in an attack upon his colleague, Lepidus, who was driven into Sardinia, where he died of grief. Pompey, contrary to the wishes of Catulus, delayed disbanding his army till he was commissioned, in preference to the consuls of the following year, Junius Brutus and Mam. Æmilius, to proceed to Spain, against Sertorius, the only remaining Marian leader, and then opposed by Metellus Pius.

14. Here Pompey found his equal in the great abilities of Sertorius; who, after two unsuccessful campaigns, obliged him to retire into Gaul. The treachery of Perpenna effected what the arms of Pompey were unequal to. Sertorius was slain at a banquet; and as his talents had long supported, so his death proved the ruin of the Marian cause. Perpenna was soon defeated by Pompey and slain. In the mean time, Crassus had just given the Servile army of Spartacus a final defeat, and a party of the fugitives falling into the hands of Pompey, as he returned from Spain, afforded him a pretext for claiming the extinction of that war.—For these achievements he was decreed a second triumph, though still of equestrian rank.

15. The law which required the consul to be forty-three, was then dispensed with, in favour of Pompey, now only in his thirty-

* It is uncertain when this title was conferred. Appian makes it after the Mithridatic war, but Cicero applies it to him, *A. u.* 690. *Agrar.* ii. 20. *Liv.* xxx. 45, attributes it to the flattery of his friends.

† Cicero uses the Greek word, *Fam.* xii. 22, ‘*nostri τυραννοκτόνοι* longè absunt.’

fifth year ; and, A. U. 683, he was raised not only to be a senator, but to be president of the senate.

Pompey was busily employed in forwarding such measures as would extend his popularity ; particularly the restoration of the tribunes of the people to the privileges of which Sylla had deprived them, up to his appointment, by the Gabinian law, to the command of the piratical war, which he despatched in forty-nine days ; not without sullyng his fame, by his intrigues with the Cretans, and his mean opposition to Metellus Creticus. The following year, as has been stated, he obtained the command of the Mithridatic war, with large discretionary powers ; and it is but justice to add, that, in that difficult commission, he sustained his former high character, and brought it to a speedy and decisive issue.

16. The plan of this oration is extremely simple. The exordium consists in a statement of the orator's reasons for not having hitherto spoken from the Rostra, c. 1. Then follows a triple division of his subject : 1. the kind of the war ; 2. its magnitude ; 3. the choice of a general. The first is enlarged on, c. 2—7 ; the second, c. 8. 9 ; the third, c. 10—17. The orator then addresses himself to the ' refutation ;' i. e. to reply to the objections of Q. Hortensius and Q. Catulus. The former is answered, c. 18. 19 ; the latter, 20—23. He then concludes with an exhortation to C. Manilius, to persevere in his motion, in defiance of threats or violence, promising him his assistance and entire support. c. 24.

M. TULLII CICERONIS

PRO LEGE MANILIA

ORATIO.

I. QUAMQUAM mihi semper frequens² conspectus¹ vester, multo jucundissimus; hic autem³ locus,⁴ ad agen-

1. *Conspectus*] We find in every language the same terms used to express *the act* and *the object* of any of the senses: thus we say 'acute vision' (the act); 'the vision of the prophet' (the object). So 'ἀκοή' hearing—report. Hence 'conspectus,' importing the object seen, when that object is a people, may imply, as here, 'an assembly.'

2. *Frequens*] is, 1. a repetition of time; 2. of number. As the sense of the passage requires the second meaning here, it serves to limit 'conspectus' to the sense given above. Or the phrase may be resolved thus, 'Although the sight of you crowded together, &c.'

3. *Autem*] 'and though, &c.';—used in continuation, like the Greek particle δὲ.

4. *Locus*] Cicero had never before addressed the people from the Rostra. This did not arise from negligence or

dislike, for he had always thought it the most delightful and honourable task—but from the high idea which he had formed of the talents and learning requisite for such an undertaking. This is at once complimentary to the people, and serves to constitute the præmium of his speech. It may be here remarked, that at Rome; those only who were Magistrates, or were introduced by Magistrates, had liberty to address the people; whereas, at Athens there was no such restriction, respect being merely had to age. Æsch. in Ctes. 1. Att. iv. 2. 'Cum subito Clodius in concionem ascendit quam Appius ei dedit.' Appius was then prætor. Hence at Rome we at no time find that 'harvest of demagogues,' (φορὰ ῥητόρων πονηρῶν, Æsch. in Ctes. 86.) which sprang up at Athens, and, no doubt, accelerated its fall.

dum⁵ amplissimus,⁶ ad dicendum ornatissimus⁷ est visus, Quirites: tamen hoc aditu⁸ laudis, qui semper optimo cuique⁹ maxime patuit,¹⁰ non mea me voluntas, sed meæ vitæ rationes¹¹ ab ineunte ætate susceptæ, prohibuerunt.¹² Nam, quum¹³ antea per ætatem¹⁴ nondum hujus auctoritatem loci attingere auderem; statueremque,¹⁵ nihil huc, nisi perfectum ingenio,¹⁶ elaboratum industria, afferri oportere: omne meum tempus amicorum temporibus¹⁷ transmittendum¹⁸

5. *Ad agendum*] The commentators here inform us, from A. Gell. xiii. 15. that 'cum populo agere' signifies to address the people, soliciting their votes for or against a certain measure; 'concionem habere,' haranguing them without having that object; which, however true, is here quite irrelevant. For Cicero does not say, 'ad agendum cum populo'—'concionem habere;' but simply 'ad agendum'—'ad dicendum;' and by declaring that he always thought the Rostra the most honourable place for these exercises, he plainly intimates that they were not limited to it alone, but prevailed, though in a lower degree, in the private courts. Besides he often joins the words elsewhere as synonymous. 'Mentem quâ hæc ipsa agimus ac dicimus.' Mil. 31. We must therefore translate them generally, 'to conduct business,' 'to harange.'

6. *Amplissimus*] 'Amplus' imports 1. wide, capacious; 2. dignified, honourable; which is the meaning here. So Arch. 10. 'ipsis populis de quorum rebus scribitur hæc ampla sunt.' The Delph. incorrectly explains it, 'commodissimus.'

7. *Ornatissimus*] 'honorificus'—conferring honour. *Forcel.* Others, 'admitting the highest oratorical embellishment;' which, if the interpretation of 'amplus' be right, must be incorrect, nothing being more common with Cicero than two synonymous epithets.

8. *Aditu*] the Rostra, the grand entrance to glory and fame at Rome.

9. *Optimo cuique*] 'every man of merit.' Sall. Cat. 8. 'Optumus quisque facere quam dicere, malebat.'

10. *Maximè patuit*] He means with the magistrate's permission; or when he became a magistrate; a distinction open 'optimo cuique.' Supr. 4.

11. *Meæ vitæ rationes*] 'pleading causes.' By 'ineunte ætate' he means the 'dawn of youth,' not 'boyhood.' At the age of twenty-six he pleaded a private cause for Quintius; and a year after a public one for Rosc. Amerinus.

12. *Prohibuerunt*] i.e. though he had been quæstor, and ædile; and therefore duly qualified.

13. *Nam, quum, &c.*] Three causes deterred him from the Rostra: 1. his plans of life, 2. his modesty, 3. the talents and industry requisite for such an undertaking.

14. *Per ætatem*] 'youth;' which the Romans extended to forty years. Cicero was now in his forty-first year; and had been pleading causes for nearly twenty.

15. *Statuerem*] sc. apud animum. De Orat. iii. 22. 'vix statuere apud animum meum possum.'

16. *Perfectum ingenio*] Ingenium res invenit; inventas industria perficit. *Manut.* Cicero's expression then is not strictly correct.

17. *Temporibus*] Cicero uses 'tempora' for 'pericula' and 'pericula,' again, for 'lites.' Mil. 36. 'Bona, fortunas meas ac liberorum meorum in communionem tuorum temporum contuli.' And Arch. 2. 'In ejusmodi persona quæ minime in ju-

putavi. Ita¹⁹ neque hic locus vacuus²⁰ unquam fuit ab iis, qui vestram causam defenderent: et meus labor, in privatorum²¹ periculis caste²² integreque versatus, ex vestro judicio fructum²³ est amplissimum consecutus. Nam quum, propter dilationem²⁴ comitiorum,²⁵ ter prætor²⁶ primus centuriis cunctis²⁷ renunciatus sum, facile intellexi, Quirites, et quid de me judicaretis, et quid aliis præscriberetis.²⁸ Nunc quum et auctoritatis in me tantum sit, quantum vos honoribus²⁹ mandandis³⁰ esse voluistis: et ad

diciis periculisq; tractata est.'

18. *Transmittendum*] 'to be spent according to the exigencies of my friends.' *Manut.* Rather 'to be devoted to.' *Operi transmittere noctes.* *Stat. Theb.* iii. 287.

19. *Ita*] 'Ita' is not to be referred merely to 'omne meum.....putavi,' the words immediately preceding, as Cicero's attention to the concerns of his friends is no reason why the people should have champions of their cause; though it is, why 'meus labor—fructum est amplissimum consecutus.' Refer it also then to the remote clause 'optimo cuique maximè patuit.'

20. *Vacuus ab*] *Ab* may be omitted. *Divin.* ii. 11. *Aninus—curis vacuus.*

21. *Privatorum*] which were not brought forward to the Rostra.

22. *Caste, &c.*] *Castus propriè sacerdotis; integer, judicis et patroni, Marcil.* Here, however, they both import 'immunis,' and allude to the Cincian law, A. U. 549, against fees for pleading. *Liv.* xxxiv. 4.

23. *Fructum*] the prætorship.

24. *Dilationem*] This adjournment was usually caused either by the intercession of the tribunes or the inspection of the magistrates. *Phil.* ii. 32. Here it arose from the ferment in which the city was kept by the promulgation of the Gabinian, Roscian, and other laws. The comitia was twice dissolved as informal. In these, as well as the third, Cicero was declared first prætor. This, however, gave him no superiority of rank

or jurisdiction, but was merely a testimony of public favour. Hence his boast, *Brut.* 93, 'et prætor primus et incredibili populari voluntate sum factus.'

25. *Comitiorum*] sc. 'centuriatorum;' at which the higher magistrates were appointed.

26. *Prætor*] (from *præ ire*) any leader, civil or military; but A. U. 389, the name was restricted to the magistrate who presided over the administration of justice. The first prætor was the son of the great Camillus, *Liv.* vii. 1, and the prætors continued for thirty years to be chosen from the patricians. The prætor peregrinus was appointed A. U. 510, 'qui inter cives Romanos et peregrinos jus diceret.' *Liv.* xxii. 35. The number was now eight.

27. *Cunctis*] qu. 'conjunctis'—all without exception; whereas a majority only was necessary.

28. *Quid aliis præscriberetis*] sc. de me judicandum. *Sylv.* Rather, 'what line of conduct you marked out for others to pursue,' namely—to devote their time to the exigencies of their friends.

29. *Honoribus*] the ædileship and prætorship; for the quæstorship was not considered a magistracy or an honour. *Hor.* *Certat tergeminis tollere honoribus.* These were the ædileship, prætorship, and consulship.

30. *Mandandis*] Al: *mandandum*, to be annexed to, &c. *Transl.* 'as you wished me to have by conferring your honours upon me;' or,

agendum facultatis tantum, quantum homini vigilanti ex forensi usu prope quotidiana dicendi exercitatio potuit afferre: certe, et, si quid auctoritatis in me est, ea apud eos utar, qui eam mihi dederunt: et, si quid etiam dicendo consequi possum, iis ostendam potissimum, qui ei quoque rei³¹ fructum suo iudiciotribuendum esse censuerunt. Atque illud in primis mihi lætandum jure esse video, quod in hac insolita mihi ex hoc loco ratione dicendi, causa talis oblata est, in qua oratio deesse nemini potest. Dicendum est enim de Cn. Pompeii³² singulari eximiaque virtute: hujus autem orationis difficilius est exitum, quam principium invenire. Ita mihi non tam copia, quam modus in dicendo quærendus est.

II. Atque, ut inde oratio mea proficiscatur, unde hæc omnis causa ducitur: bellum grave et periculosum vestris vectigalibus¹ atque sociis² a duobus potentissimis³ regibus infertur, Mithridate et Tigraue; quorum alter relictus,⁴ alter lacessitus,⁵ occasionem sibi ad occupandam Asiam⁶ oblatam

‘by intrusting me with your magistracies.’

31. *Ei rei*] sc. ‘quid dicendo consequi possum;’—the attainments of eloquence; not as Hott. ‘dicendi facultati’—ability in speaking; i. e. it was on his industry in pleading the causes of his friends, not on his talents as an orator, that the rewards were bestowed.

32. *Cn. Pompeii*] emphatic, ‘of a Cneius Pompey.’

SEC. II.—1. *Vectigalibus*] ‘Vectigal,’ from ‘veho,’ is 1. a duty on imports and exports; 2. the tax laid by the Romans on the lands and produce of conquered countries. Hence ‘vectigalis,’ one paying this tax, a tributary; opposed to

2. *Sociis*] who were joined in alliance with the Romans. Here particularly is meant Ariobarzanes, of whom *infr.* c. 5. ‘Rex, socius populi Rom., atque amicus.’

3. *Potentissimis*] Cic. in *Lucul.* pronounces Mithridates the greatest

king after Alexander. Tigranes had obtained considerable victories over the Parthians, and established Greek colonies in Media.

4. *Relictus*] Cic. insinuates that Lucullus gave up the pursuit of Mithridates, in quest of plunder; but *vid.* *Introd.* 9.

5. *Lacessitus*] This word is invidiously chosen, as if Lucullus had wantonly provoked Tigranes to the fight, and then retreated. *Introd.* 9.

6. *Ad occupandam Asiam*] The usual construction is ‘occupandæ Asiæ.’ Asia was first reduced into the form of a Roman province, A. V. 620, after Attalus had bequeathed his kingdom to the Roman people. The Delph. dates it 137 (it should be 124) years before this period, when Scipio conquered Antiochus; but the country of which he was deprived, sc. Asia cis Taurum, was not reduced to the form of a province; being partly given to Eumenes and the Rhodians, partly made free. *Introd.* 4. note c.

esse arbitratur. Equitibus Romanis,⁷ honestissimis viris, afferuntur ex Asia quotidie literæ, quorum magnæ res⁸ aguntur, in vestris vectigalibus exercendis⁹ occupatæ;¹⁰ qui ad me, pro necessitudine,¹¹ quæ mihi est cum illo ordine, causam reipublicæ¹² periculaque rerum suarum detulerunt: Bithyniæ,¹³ quæ nunc vestra provincia¹⁴ est, vicos exustos esse complures: regnum Ariobarzanis,¹⁵ quod finitimum est vestris vectigalibus, totum esse in hostium potestate: Lucullum, magnis rebus gestis, ab eo bello discedere: huic qui successerit,¹⁶ non satis esse paratum ad tantum bellum administrandum: unum ab omnibus sociis et civibus ad id bellum imperatorem deposci atque expeti: eundem hunc unum ab hostibus metui, præterea¹⁷ neminem.

Causa quæ sit, videtis: nunc, quid agendum sit, considerate. Primum mihi videtur de genere belli; deinde de magnitudine; tum de imperatore deligendo esse dicendum.

7. *Equitibus Romanis*] These had formed themselves into companies ('societates.' Muren. 33.) which farmed the public revenues—hence called 'publicani.' The auction was held by the censors in March, and the highest contractor was called magister, who had a deputy called promagister.

8. *Magnæ res*] i. e. opes, facultates.

9. *Exercendis*] collecting. Inf. 'aut eos qui exercent atque exigunt.' They collected tithes (decumæ) from the husbandmen; rents (scriptura) from the pastures, and customs (portorium) from the ports.

10. *Occupatæ*] a Mithridate et Tigraue. *Sylv.* But it merely means embarked in business.' So Verr. iii. 36. Pecunias occupârat apud populos, et syngraphas fecerat.

11. *Necessitudine*] a strong tie of friendship or intimacy. So ἀναικίη in Greek. Pliny, xxxiii. 8, explains it; 'M. Cicero demum stabilivit equestre nomen in consulatu suo, a x eo se ordine profectum esse celebrans, et ejus vires peculiari popularitate quærens.'

12. *Causam reip., &c.*] He connects the public interest with that of

the knights, lest he might seem to sacrifice public duty to private friendship.

13. *Bithyniæ*] Introd. 7. It was anciently called Bebrycia, and received the name of Bithynia, from the Bithyni or Thyni, a Thracian nation which settled there.

14. *Quæ nunc vestra provincia*] This is added for the information of the people; an assembly of whom he was now addressing. The senate were, no doubt, aware of the fact. It was now about ten years since its establishment.

15. *Regnum Ariob.*] sc. Cappadocia. Introd. 9. It must have been after Lucullus withdrew to Nisibis that Mithridates seized on this kingdom, as up to that time the Roman general was master of every country in his rear.

16. *Huic qui successerit*] Introd. 9. Al. *succurrerit* which, according to Hottom., intimates the too great eagerness of Glabrio in seizing on a command for which he was not remarkably adapted; being, in Cicero's opinion, 'socors ipsius natura, negligensque.' Brut. 68.

17. *Præterea*] præter hunc.

Genus est¹⁸ belli ejusmodi, quod maxime vestros animos excitare atque inflammare ad studium persequendi¹⁹ debeat; in quo agitur populi Romani gloria, quæ vobis a maioribus, quum magna in rebus omnibus, tum summa in re militari²⁰ tradita est: agitur salus sociorum atque amicorum, pro qua multa majores vestri magna et gravia bella gesserunt: aguntur certissima²¹ populi Romani vectigalia et maxima; quibus amissis, et pacis ornamenta²² et subsidia belli requiretis:²³ aguntur bona multorum civium, quibus est a vobis²⁴ et ipsorum et reipublicæ causâ consulendum.

III. Et quoniam semper appetentes gloriæ¹ præter ceteras gentes, atque avidi laudis fuistis, delenda vobis est illa macula,² Mithridatico bello superiore³ suscepta, quæ penitus jam insedit, atque inveteravit in populi Romani nomine: quod is, qui uno die, tota Asia, tot in civitatibus, uno nuntio, atque una literarum significatione cives Romanos necandos trucidandosque denotavit, non modo adhuc pœnam nullam suo dignam scelere suscepit, sed ab illo tempore⁴ annum

18. *Genus est*] Al. *Genus est enim*. If so, *enim* is used for transition—as if he said, ‘Now the, &c.’

19. *Ad studium persequendi*] Græv. inserts these words, which are omitted in the Delph.

20. *In re militari*] Florus (Prol. Hist.) says, that whoever reads the military history of the Romans must learn not the actions of a single people, but of all mankind.

21. *Certissima*] He must mean in peaceable times. When consul, two years afterwards, the Campanian were, in his opinion, the only sure revenues. Agr. ii. 29.

22. *Et pacis ornamentum, &c.*] So Agr. ii. 29, *Pacis ornamentum, subsidia belli, fundamentum vectigalium*.

23. *Requiretis*] ‘feel the loss of’. *Requiro*; *amissum sentio*. *Ascon.*

24. *A vobis*] Here *a* is necessary, otherwise we might have translated ‘which must provide for you.’ Scheller’s Lat. Gram. vol. 2. p. 233. Inf. 8. n. 4.

SEC. III.—1. *Appetentes gloriæ*] This is illustrated by the fact, that from the building of Rome to the

siege of Veii, nearly 350 years, the Roman soldiers served without pay. Liv. v. 2.

2. *Illam maculam*] Introd. 4. The circular was directed to the præfects of Asia, and extended to men, women, and children—freemen and slaves. The property of the slain was divided between the assassins and the treasury. Plutarch, Syll. 24, states the number that perished at 150,000. Val. Max. ix. 2. 3. at 80,000. And Appian remarks, that the strictness with which the command was executed displayed more hatred to the Romans than fear of the king.—Introd. 5.

3. *Bello superiore*] Not the former war; for that was the war of Murena, in which the Romans received no ‘stain.’ The first war, therefore is meant; and it is probable that Cic. did not separate the war of Murena from that of Sylla; a distinction which it hardly deserves, either from its continuance, its danger, or the abilities of its general. Introd. 6.

4. *Ab illo tempore*] sc. A. V. 665.

jam tertium et vicesimum regnat : et ita regnat, ut se non Ponto,⁵ neque Cappadociæ latebris⁶ occultare velit, sed emergere⁷ e patrio regno, atque in vestris vectigalibus, hoc est, in Asiæ luce⁸ versari. Etenim adhuc ita vestri cum illo rege contenderunt imperatores,⁹ ut ab illo insignia victoriæ,¹⁰ non victoriam reportarent. Triumphavit L. Sulla, triumphavit L. Murena de Mithridate, duo fortissimi viri, et summi imperatores: sed ita triumpharunt, ut ille pulsus superatusque regnaret. Verumtamen illis imperatoribus laus est tribuenda, quod egerunt:¹¹ venia danda, quod reliquerunt:¹² propterea quod ab eo bello Sullam¹³ in Italiam respublica, Murenam¹⁴ Sulla revocavit.

IV. Mithridates autem omne reliquum tempus,¹ non ad oblivionem veteris belli, sed ad comparisonem novi contulit: qui posteaquam maximas ædificasset ornassetque classes;² exercitusque permagnos, quibuscunque ex gentibus potuisset, comparasset, et se Bosporanis,³ finitimis suis, bellum in-

Cic. is speaking in 687. The difference, reckoning inclusively, is twenty-three years.

5. *Non Ponto*] his hereditary kingdom.

6. *Cappadociæ latebris*] Cappadocia lay between the Halys, the Euphrates, and the Euxine.

7. *Occultare—emergere—luce*] The metaphor here is borrowed from the changes in the heavenly bodies.

8. *Asiæ luce*] An English translator, Duncan, renders this 'The rich and fertile country of Asia.' But Gesner (*Thesaur. ling. Lat.*) notices a common meaning of 'in luce,' sc. 'in publico civium convictu.' So ad Quint. Frat. i. Ep. i. 2. 'Istam virtutem non latere in tenebris; sed in luce Asiæ, in oculis clarissimæ provinciæ—esse positam.' And this meaning agrees with Mithridates leaving the dark retreats (*latebræ*) of Cappadocia, and dwelling in the public view (*luce*) of Asia. Vid. Eng. Trans.

9. *Imperatores*] Sylla, Murena, Lucullus.

10. *Insignia victoriæ*] 'Triumphos,' *Hottom.* But Manut. objects to this meaning, as not agreeing with

'ab illo reportarent;' and explains it 'signa,' 'indicia.'

11. *Quod egerunt*] i. e. quantum ad illud attinet quod, &c. *Hott;* ex eo quod, &c. *Manut.* Eng. 'for what.'

12. *Quod reliquerunt*] sc. Mithridatem: quod is here a conj. *Matth.* V. E. If so, we would expect it to be the same before 'egerunt,' which it evidently is not.

13. *Sullam*] *Introd.* 5.

14. *Murenam Sulla*] *Introd.* 6. Sylla might want his troops in Italy. 'Mithridatem.....quem L. Murena pater hujusce vehementissime vigilantissimèque vexatum, repressum magnâ ex parte, non oppressum, reliquit.' Muren. 15.

SEC. IV.—1. *Omne reliquum tempus*] sc. from the recall of Murena, A. U. 672, to the appointment of Lucullus in 679. *Introd.* 7. 8.

2. *Maximas classes, &c.*] *Introd.* 8.

3. *Bosporanis*] The Delph. erroneously considers this a Thracian people. *Introd.* 6. Appian makes these preparations to precede the recall of Murena. *Mithr.* 64. There may have been preparations on both occasions. *Mithr.* 67.

ferre simulasset: usque in Hispaniam⁴ legatos⁵ ac literas⁶ misit ad eos duces,⁷ quibuscum tum bellum gerebamus: ut, quum, duobus in locis disjunctissimis⁸ maximeque diversis, uno consilio, a binis hostium copiis bellum terra marique⁹ gereretur, vos ancipiti contentione districti, de imperio dimicaretis. Sed tamen alterius partis periculum,¹⁰ Sertorianæ atque Hispaniensis, quæ multo plus firmamenti ac roboris habebat, Cn. Pompeii divino consilio ac singulari virtute depulsum est: in altera parte ita res a L. Lucullo, summo viro, est administrata, ut initia illa¹¹ gestarum rerum magna atque præclara, non felicitati ejus, sed virtuti; hæc autem extrema,¹² quæ nuper acciderunt, non culpæ, sed fortunæ tribuenda esse videantur. Sed de Lucullo dicam alio loco,¹³ et ita dicam, Quirites, ut neque vera laus ei detracta actione nostra, neque falsa afficta¹⁴ esse videatur. De vestri¹⁵ imperii dignitate atque gloria, quoniam is est exorsus orationis meæ,¹⁶ videte, quem vobis animum suscipiendum putetis.

V. Majores vestri¹ sæpe, mercatoribus ac naviculariis injuriosius² tractatis, bella gesserunt: vos tot civium Ro-

4. *Usque in Hisp.*] to Sertorius.

Introd. 7. For the particulars of this embassy, vide App. Mithrid. 68; or Plutarch, in Sert. 23.

5. *Legatos*] named L. Magius, and L. Fannius; banished Marians.—App. 68.

6. *Ac literas*] Usually read *Ec-batani*, the name of the capital of Media Major; now, Hamedan, or, according to some, Ispahan. But it is impossible that Mithrid. could have been there at this time; and improbable that he was ever there at all.

7. *Eos duces*] Sertorius and perhaps Perpenna.

8. *Locis disjunctissimis*] Spain and Pontus were nearly at the opposite extremities of the Roman empire.

9. *Terra marique*] For Mithridates covenanted to send Sertorius a fleet of forty ships.

10. *Alterius partis periculum*] Vid. Introd. 14. where it will appear that the treachery of Perpenna had some share in dispelling this danger. Hooke,

viii. 3.

11. *Initia illa*] Introd. 8.

12. *Extrema*] The defeat of his lieutenants. Introd. 9.

13. *Alio loco*] Inf. 8.

14. *Afficta*] 'affigo'—fixed to, ascribed to.

15. *De vestri, &c.*] Al. *Sed pro*. In order to see the connexion here, we must consider from 'Etenim adhuc, &c.' c. 3., as a digression to the previous management of the war. Cic. now returns to his first argument—(quoniam semper appetentes gloria, &c.)—their thirst for glory, and the stain on their fame, which required to be effaced. This he enforces by showing how their ancestors had acted on less urgent occasions.

16. *Is exorsus meæ*] 'I began my speech with that,' sc. gloria.

SEC. V.—1. *Majores vestri*] 'Vestri' was more complimentary than 'nostri,' and therefore used in addressing the people.

2. *Injuriosius*] i. e. 'somewhat

manorum millibus³ uno nuntio atque uno tempore necatis, quo tandem animo esse debetis? Legati⁴ quod erant appellati superbius, Corinthum patres vestri,⁵ totius Græciæ lumen,⁶ extinctum⁷ esse voluerunt: vos eum regem inultum esse patiemini, qui legatum populi Romani consularem,⁸ vinculis ac verberibus, atque omni supplicio excruciatum necavit? Illi libertatem civium Romanorum imminutam non tulerunt: vos vitam ereptam negligetis? Jus legationis verbo violatum⁹ illi persecuti sunt: vos legatum, omni supplicio interfectum, relinquetis?¹⁰ Videte, ne, ut illis pulcherrimum fuit, tantam vobis imperii gloriam relinquere; sic vobis turpissimum sit, id, quod accepistis, tueri et conservare non posse. Quid? quod salus sociorum summum in periculum ac discrimen vocatur? Regno expulsus est Ariobarzanes, rex, socius populi Romani atque amicus:¹¹ imminent duo reges toti Asiæ, non solum vobis

wrongfully,' a dimin. of the positive injuriosè; as inf. 'superbius.'

3. *Tot—millibus*] *supr.* 3, n. 2.

4. *Legati*] The 'legati' were Aurelius, Orestes, and other senators. Their commission was to settle the differences between the Achæan confederacy and Lacedæmon. With regard to the insult, Livy and Asconius say, 'quod pulsati ac violati essent,' and Strabo, 'quod sordes e tectis in eos conjecerint.' But Cic., who wished to lower the provocation as much as possible, omits to state that, after this, Metellus, the proconsul of Macedonia, fought a bloody battle in Locris—and Mummius another, at the Isthmus, before Corinth was destroyed. Nor does it appear, that Mummius acted by the orders of the senate, though his conduct afterwards met their approval. Cic. elsewhere states the real cause of its demolition, namely, 'specie utilitatis.' *Off.* iii. 11. *Agr.* ii. 32.

5. *Patres vestri*] 'Majores' is applied to the more ancient; 'patres,' to the more recent. Corinth was destroyed *A. V.* 607. exactly eighty years before this time.

6. *Lumen*] alluding to Leptines's

calling Athens and Corinth 'the eyes of Greece.' *Hottom.*

7. *Extinctum*] *Al. extinctam*; for 'Corinthus' is *fœm.*—But it is, no doubt, referred to 'lumen.'

8. *Legatum consularem*] *M. Aquilius*, consul with Marius *A. V.* 651. He had been his lieutenant in the Cimbric war, and suppressed the revolt of the slaves in Sicily. It is hard to account for his being a commissioner on this occasion, unless we suppose that he was prompted to undertake it by avaricious views; to which indeed his subsequent punishment gives some countenance. *Introd.* 4.

9. *Verbo violatum*] *supr.* n. 4.

10. *Relinquetis*] *Delph. inultum relinquetis*; but unnecessary. 'Relinquo' opposed to 'persequi' is 'to neglect the wrongs of.' 'Cur injurias tuas reliquisti?' *Verr.* i. 33.

11. *Socius—atque amicus*] the highest title the Romans could bestow. *Liv.* xxxi. 11. 'Nominis ejus honorem pro magnis erga se regum meritis dare populum Rom. consuesse.' It was usual for the senate to present such kings with a crown of gold, a golden cup, an ivory curule

inimicissimi, sed etiam vestris sociis atque amicis: civitates autem omnes, cuncta Asia atque Græcia¹² vestrum auxilium expectare propter periculi magnitudinem coguntur: imperatorem a vobis certum deprecari, quum præsertim vos alium¹³ miseritis, neque audent, neque se id facere summo sine periculo posse arbitrantur. Vident et sentiunt hoc idem, quod vos,¹⁴ unum virum esse, in quo summa sint omnia, et eum prope esse, (quo etiam carent ægrius:¹⁵) cujus adventu ipso atque nomine, tametsi ille ad maritimum bellum¹⁶ venerit, tamen impetus hostium repressos esse intelligunt ac retardatos. Hi vos, quoniam libere loqui non licet,¹⁷ tacite rogant, ut se quoque sicut ceterarum provinciarum socios, dignos existimetis, quorum salutem tali viro commendetis: atque hoc etiam magis,¹⁸ quam ceteros, quod ejusmodi in provinciam homines cum imperio mittimus, ut, etiam si ab hoste defendant, tamen ipsorum adventus in urbes sociorum non multum ab hostili expugnatione differant. Hunc audiebant¹⁹ antea, nunc præsentem vident, tanta temperantia,²⁰ tanta mansuetudine, tanta humanitate, ut ii beatissimi esse videantur, apud quos ille diutissime commoratur.

chair, an ivory sceptre, an embroidered toga, and a striped tunic.

12. *Cuncta—Græcia*] In the ablat. as 'tota Asia,' supra, 3. *Weiske*, V.E. But this seems very doubtful; for 'tota Asia' is there followed by 'in civitatibus,' here preceded by 'civitates,' with which it is obviously in apposition.

13. *Alium*] Glabrio. Introd. 9.

14. *Quod vos*] A compliment to the sagacity of the Romans.

15. *Quo etiam carent ægrius*] Delph. 'quem magis desiderant cum summa auctoritate.' But, 'quo' refers to 'prope esse,' the want of any good, being more felt the more nearly it is within our reach. Tusc. i. 36. 'Carere' est 'egere eo quod habere velis;' inest enim *velle* in *carendo*.

16. *Maritimum bel.*] This, extending to Cilicia and Mount Amanus, placed Pompey within the reach

of the Asiatic states.

17. *Quoniam libere loqui non licet*] for Glabrio was already there.

18. *Atque hoc etiam magis*] If the ellipsis is supplied from the preceding words, it will be 'atque rogant—ut se etiam magis dignos existimetis, &c. quam cæteros hoc quod, &c.' i. e. 'nay, they ask you to think them more deserving, &c., because, &c.' But as this seems too presuming for those silent petitioners, we may supply it thus: 'atque eos etiam magis dignos existimare debemus quam cæteros, &c.;' and we should deem them even more deserving than other provincials, in as much as—

19. *Audiebant*] while he was waging the Italian, Sicilian, African, and Spanish wars.

20. *Temperantia*] named first as being most opposed to the *rapacity* of other generals. *Manut.*

VI. Quare, si propter socios,¹ nulla ipsi injuria lacesciti, majores vestri cum Antiocho,² cum Philippo,³ cum Ætolis,⁴ cum Pœnis⁵ bella gesserunt: quanto vos studio convenit, injuriis provocatos, sociorum salutem una cum imperii vestri dignitate defendere; præsertim quum de vestris maximis vectigalibus agatur? Nam ceterarum provinciarum

SEC. VI.—1. *Propter socios*] According to Polybius ii. 12, the first intercourse between the Greeks and Romans took place on the conclusion of the first Illyrian war, A. U. 525, when the latter sent ambassadors to Corinth and Athens. The Corinthians admitted the Romans to the Isthmian games; the Athenians declared them citizens of Athens. *Zon.* viii.

2. *Antiocho*] Antiochus the Great was descended from Seleucus Nicator, one of the generals of Alexander the Great. He possessed all the countries of Asia, from Media to Æolis and Ionia, including Cœle-Syria, Phœnicia, and the coast of the Mediterranean, as far as Ægypt. His first appearance in Europe was at Lysimachia, a city of Thrace, which he claimed in right of its founder, Seleucus, and proposed to make the capital of a kingdom for his son. At the same time the Ætolians, dissatisfied at the peace between Philip and the Romans, (v. next note) instigated Nabis, the tyrant of Lacedæmon, to attack the Achæans, then headed by the celebrated Philopœmon; and inviting Antiochus into Greece, constituted him general of the Ætolians. The Romans, of course, were applied to on the part of the confederates, and A. U. 562. sent Ac. Glabrio against Antiochus, who, having destroyed his whole army at Thermopylæ, obliged himself to retreat to Asia, and the Ætolians to surrender at discretion. The following year his dominions were invaded by Scipio, who forced him to accept of an ignominious peace.

3. *Philippo*] Philip was descended from Antigonus, one of the captains of Alexander the Great. His power and abilities made him an antagonist worthy of the Romans, to whom he had rendered himself obnoxious during the second Punic war, by making a league with Hannibal. Subsequently he came to an agreement with Sempronius, (who had landed a large army in Greece, A. U. 549,) which was ratified by the senate. But the Athenians, having put to death two Acarnanians for violating the mysteries of Ceres, Philip, A. U. 552, joined the latter in invading Attica. The Athenians, in conjunction with Attalus and the Rhodians, sent deputies to Rome: Philip did the same. The senate decided in favor of the confederates, and the following year sent the consul, P. Sulpicius Galba, into Greece. This general and his successor, Flamininus, obliged Philip, at the end of four years, to accept of a peace, whereby full liberty was secured to the Grecian cities.

4. *Ætolis*] Vide penult. note. It was the year following, A. U. 564, that Fulvius, the patron of Ennius, (Arch. 11.) reduced them finally, harder terms of peace being imposed upon them than on any of the other states of Greece.

5. *Pœnis*] What Punic war he alludes to is not specified. If we take the first, the allies will be the Mamertines, who had seized on the town of Messina, in Sicily, and invited the Romans to their support. If the second, the allies will be the Saguntines, on whom Hannibal made war.

vectigalia, Quirites, tanta⁶ sunt, ut iis ad ipsas provincias tutandas vix contenti esse possimus: Asia vero tam opima⁷ est et fertilis, ut et ubertate agrorum, et varietate fructuum, et magnitudine pastionis, et multitudine earum rerum, quæ exportantur,⁸ facile omnibus terris antecellat. Itaque hæc vobis provincia, Quirites, si et belli utilitatem et pacis dignitatem sustinere vultis, non modo a calamitate,⁹ sed etiam a metu calamitatis est defendenda. Nam ceteris in rebus,¹⁰ quum venit calamitas, tum detrimentum¹¹ accipitur: at in vectigalibus non solum adventus mali, sed etiam metus ipse affert calamitatem. Nam quum hostium copiae non longe absunt, etiam si irruptio facta nulla sit, tamen pecora relinquuntur, agricultura deseritur, mercatorum navigatio conquiescit. Ita neque ex portu,¹² neque ex decumis,¹³ neque ex scriptura¹⁴ vectigal conservari potest; quare sæpe totius anni fructus uno rumore periculi, atque uno belli terrore amittitur. Quo tandem animo esse existimatis aut eos, qui vectigalia nobis pensitant, aut eos, qui exercent atque exigunt, quum duo reges cum maximis copiis prope adsint? quum una excursio equitatus perbrevis tempore

6. *Tanta*] so trifling; such and no more. ('Tantus'—tam parvus; vel certè non augens. *Forcel.*) 'Præsidii tantum est; ut ne murus quidem cingi potest. Cæs. B. G. vi. 35.

7. *Opima*] from 'ops'—and 'ubertas' from 'uber'—ὀψθαπ.

8. *Ubertate.....exportantur.*] Alluding again to the triple produce—decumæ—scriptura—portorium.

9. *Calamitate*] from 'calamus'—the effects of a storm on the stalks of corn.

10. *Ceteris in rebus*] such as shipwreck, fire, &c.

11. *Detrimentum*] 1. Loss by friction; from 'detero'; 2. Any loss or damage.

12.—*Ex portu*] sc. 'vectigal'; i.e. 'portorium,' and the collectors 'portitores.' As this was a highly oppressive tax, the 'portitores' were very unpopular among the provincials. It is they who in Scripture are called τελῶναι—publicans, of whom St. Matthew was one. Cic., Verr. ii. 75, speaks of 'portorii

vicesima;' which seems to intimate that the customs amounted to one-twentieth, or five per cent. on the capital.

13. *Decumis*] sc. 'partibus'; i.e. a tenth of the produce. Hence 'decumanus,' the farmer and collector of 'decumæ'; and as agriculture was the most respectable employment among the Romans, so the 'decumani' were 'principes et quasi senatus publicanorum.'

14. *Scriptura*] 'the revenue arising from the public pastures;' so called from the written arrangements entered into by the owners with the farmers, or 'pecuarii.' 'Neque ex scriptura' therefore refers to 'pecora relinquuntur' preceding. 'Scriptura,' it should be observed, at first included the whole three classes of revenue. So. Verr. ii. 70. 'In scriptura Sicilia pro magistro est quidam L. Carpinatius.' The pasture-tax, however, retained the name, when the others acquired distinctive appellations.

totius anni vectigal auferre possit? quum publicani familias¹⁵ maximas, quas in salinis¹⁶ habent, quas in agris, quas in portubus atque custodiis,¹⁷ magno periculo se habere arbitrentur? Putatisne vos illis rebus frui posse, nisi eos, qui vobis fructuosi sunt, conservaveritis, non solum (ut antea dixi) calamitate, sed etiam calamitatis formidine liberatos?

VII. Ac ne illud quidem vobis negligendum est, quod mihi ego extremum proposueram, quum essem de belli genere dicturus, quod ad multorum bona civium Romanorum pertinet: quorum vobis pro vestra sapientia, Quirites, habenda est ratio diligenter. Nam et¹ publicani, homines et honestissimi et ornatissimi,² suas rationes³ et copias in illam provinciam contulerunt:⁴ quorum ipsorum per se res et fortunæ curæ vobis esse debent. Etenim si vectigalia, nervos esse reipublicæ, semper duximus; eum certe ordinem qui exercet illa, firmamentum⁵ ceterorum ordinum recte esse dicemus. Deinde ceteris ex ordinibus⁶ homines

15. *Familias*] 'Familia' means, properly, 'the slaves belonging to one master;' here, 'the establishment' of a single 'publicanus.'

16. *Salinis*] sc. 'fodinis.' This is the reading of all the MSS. Yet it is hard to conceive why the great Families here spoken of, should be so employed, even admitting the existence of salt-pits in Asia, of which there is no proof. V. E. suggests that the manufacture of salt by evaporation would probably employ many hands, and Pliny, xxxi. 7, shows that that process was known to the ancients. But it is in reference to the taxing, not the manufacture, of salt that Cic. speaks, which surely would not require many hands: besides, he appears to keep in view the preceding division of revenues, in which 'in salinis' must answer to 'scriptura' or pastures. Hence, Turneb., Manut., and Hott., suggest *silvis*, *salictis*, and *saltibus*. The first seems the most probable. So Mil. 9. 'servi quibus *silvas publicas* depopulatus erat.' It may be added, that during the time of the kings, salt was sold by license; but

on their expulsion this was abolished. A new tribute was imposed, A. U. 549, by T. Livius, hence called Salinator; but we read of no such tax in Asia. Liv. xxix. 37.]

17. *Custodiis*] Places where the slaves of the 'publicani' kept guard, lest any goods should pass without paying custom. Sometimes it appears to stand for the officers themselves. De prov. con. 5.

SECT. VII.—1. *Nam et*] This *et* is answered by 'deinde,' inf.

2. *Honestiss.—ornatiss.*] Primum ad æstimationem; alterum ad rem familiarem refertur. Manut.

3. *Rationes*] 'resources,' 'property'—not 'accounts,' as explained by some.

4. *Contulerunt*] Either 'actually conveyed,' or, (as 'collocatæ' *supr.* 2.) 'embarked in business.'

5. *Firmamentum*] Planc. 9. 'Flos equitum Rom., ornamentum civitatis, firmamentum reip. publicanorum, ordine continetur.'

6. *Ceteris ex ordinibus*] Sc. the patrician and plebeian. Some of the former might at this time follow the

gnavi et industrii partim ipsi in Asia negotiantur, quibus vos absentibus consulere debetis : partim eorum in ea provincia pecunias magnas collocatas⁷ habent. Erit igitur humanitatis vestrae, magnum eorum civium numerum calamitate prohibere : sapientiae, videre, multorum civium calamitatem⁸ a republica sejunctam esse non posse. Etenim illud primum parvi refert,⁹ vos publicanis amissa vectigalia postea victoria recuperare ; neque enim iisdem redimendi¹⁰ facultas erit, propter calamitatem, neque aliis voluntas, propter timorem. Deinde, quod nos eadem Asia, atque idem iste Mithridates initio belli Asiatici¹¹ docuit ; id quidem certe calamitate docti memoria retinere debemus. Nam tum, quum in Asia res magnas permulti amiserant, scimus, Romae, solutione impedita, fidem¹² concidisse. Non enim possunt una in civitate multi rem atque fortunas amittere, ut non plures secum in eandem calamitatem trahant. A quo periculo prohibete rempublicam ; et mihi credite, (id quod ipsi videtis,) hæc fides, atque hæc ratio pecuniarum, quæ Romae, quæ in foro versatur,¹³ implicita est cum illis pecuniis Asiaticis, et cohæret. Ruere illa non possunt, ut hæc non eodem labefactata motu concidant. Quare videte, num dubitandum vobis sit, omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunæ plurimorum civium cum republica defendantur.

VIII. Quoniam de genere belli dixi, nunc de magnitudine pauca dicam. Potest enim¹ hoc dici : belli genus esse ita

lucrative employment of traffic.

7. *Collocatas*] This was often done by lending on usury, as we find Brutus did to the Cyprians. Att. vi. 1. 3.

8. *Multorum calamitatem, &c.*] Off. iii. 15. 'Singulorum facultates et copiae, divitiæ sunt civitatis.'

9. *Parvi refert*] It is of little use.

10. *Redimendi*] Often simply, 'farming ;' hence 'redemptores,' undertakers. So 'frequens redemptor.' Hor. Yet the force of *re* may be well introduced here, sc. 'farming anew.'

11. *Belli Asiat.*] i. e. 'Mithridatici.' Vid. Introd.

12. *Fidem*] public credit ; which now failed, from the non-payment of

the bills given by the 'publicani' to the Roman bankers.

13. *In foro versatur*] The bankers had their offices in the forum. Hence Cic. calls it 'circumforaneum æs ;' and Liv., xxvi. 11., (Hannibal), tabernas argentarias, quæ circa forum Romanum tunc essent, jussit venire.

SECT. VIII.—1. *Enim*] i. e. For some may admit the necessity of the war, yet deny its danger and importance. Cic., therefore, employs the two following sections in answering this objection ; i. e. in pointing out the principal causes of the war being so dangerous ; and very properly concludes, c. 10., that it is 'magnitudine periculosum.' Guthrie, however, (whom Duncan follows,) renders

necessarium, ut sit gerendum; non esse ita magnum, ut sit pertimescendum. In quo² maxime laborandum est,³ ne forte ea vobis, quæ diligentissime providenda⁴ sunt, contemnenda esse videantur. Atque, ut omnes intelligant, me L. Lucullo⁵ tantum impertire laudis, quantum forti viro, et sapientissimo homini, et magno imperatori debeatur: dico, ejus adventu⁶ maximas Mithridatis copias, omnibus rebus ornatas atque instructas fuisse; urbemque Asiæ clarissimam, nobisque amicissimam, Cyzicenorum,⁷ obsessam esse ab ipso rege maxima multitudine, et oppugnatam vehementissime; quam L. Lucullus virtute, assiduitate, consilio, summis obsidionis periculis liberavit: ab eodem imperatore classem magnam et ornatam, quæ ducibus Sertorianis⁸ ad Italiam studio inflammata raperetur,⁹ superatam esse atque depressam: magnas hostium præterea copias multis præliis esse deletas: patefactumque nostris legionibus esse Pontum, qui ante populo Romano ex omni aditu clausus esset: Sinopen¹⁰ atque Amisum,¹¹ quibus in oppidis erant domicilia

it: 'and this I will venture to say, that though its nature renders it absolutely necessary, yet its greatness can never render it formidable;' and this he conceives Cic. to urge as a reason why the greatest general ever Rome had then seen, should be sent to conduct it!

2. *In quo*] i. e. in making out which point, sc. the importance of the war.

3. *Laborandum est*] sc. mihi. He wishes to rouse their attention to his statement.

4. *Ea—quæ providenda*] These he sums up, inf. c. 9, under five particulars—'quod conjungant reges potentissimi, &c.' *Al. a vobis*. But the prep. is unnecessary. Vid. supr. 2. n. 24.

5. *Lucullo*] Cic. conceived that the best introduction to his statement of the dangers of the war would be, an apparent candour in detailing the exploits of Lucullus, the difficulties which he had surmounted, and the causes which had prevented his final success. Vid. Arch. 9.

6. *Ejus adventu*] Introd. 8.

7. *Cyzicen.*] Cyzicum was a small island of the Propontis, which Alexander joined to the continent by two bridges; at which junction is built the town of that name. Its founder, it is said, was Cyzicus, who was killed by Jason, in an engagement with the Argonauts.

8. *Sertorianis*] Introd. 7. 8.

9. *Ad Italiam—raperetur*] That this fleet was destined to invade Italy, is asserted by Cic. also in Mur. 15. The policy of Mithridates, no doubt, was, like Hannibal, to fight the Romans on their own soil. The historians do not notice this, and they place the sea-fight at Lemnos, instead of Tenedos. Arch. 9. But we may suppose with Græv., that the battle at Tenedos was followed by a general engagement at Lemnos, where Marius, the senator of Sertorius, was taken prisoner.

10. *Sinopen*] The capital of Pontus, and birth-place of Diogenes, the Cynic.

11. *Amisum*] Now Samsoun, a

regis, omnibus rebus ornata atque referta; ceterasque urbes Ponti et Capadociae permultas, uno aditu atque adventu esse captas: regem spoliatum regno patrio atque avito,¹² ad alios se reges¹³ atque ad alias gentes supplicem contulisse: atque hæc omnia, salvis populi Romani sociis¹⁴ atque integris vectigalibus esse gesta. Satis opinor hoc esse laudis; atque ita¹⁵ Quirites, ut hoc vos intelligatis, a nullo istorum qui huic obtrectant¹⁶ legi atque causæ, L. Lucullum similiter ex hoc loco esse laudatum.

IX. Requiretur fortasse nunc, quemadmodum, quum hæc ita sint, reliquum possit esse magnum bellum. Cognoscite, Quirites; non enim hoc sine causa quæri videtur. Primum ex suo regno sic Mithridates profugit,¹ ut ex eodem Ponto Medea illa quondam profugisse dicitur: quam prædicant in fuga, fratris sui² membra in iis locis, qua³ se parens persequeretur, dissipavisse, ut eorum collectio dispersa,⁴ mœrorque patrius, celeritatem persequendi retardaret. Sic Mithridates fugiens, maximam vim⁵ auri atque argenti, pulcherrimarumque rerum omnium, quas et a majoribus acceperat, et ipse bello superiore ex tota Asia direptas in suum regnum congesserat, in Ponto omnem reliquit. Hæc dum nostri colligunt omnia diligentius, rex ipse e manibus efugit. Ita illum⁶ in persequendi studio mœror, hos lætitia retardavit. Hunc in illo timore et fuga Tigranes, rex Armenius, exceperit; diffidentemque rebus suis confirmavit; et afflictum erexit, perditumque recreavit. Cujus in reg-

maritime city of Pontus, on the east of the river Halys. This city and Sinope Lucullus declared free.

12. *Regno—avito*] Pontus.

13. *Reges*] Tigranes, alone; unless Cic. alludes to an embassy which Mithridates sent to the king of Parthia.

14. *Salvis sociis*] Except the slaughter made in Phrygia by Eumachus, a general of Mithridates, during the siege of Cyzicus. App. Mithr. 75.

15. *Ita*] sc. 'Satis.' Enough for this purpose. Or, 'ita dico ut, &c.'

16. *Obtrectant*] The principal opponents of the law were Catulus and Hortensius, who had enlarged in their speeches on the merits of

Lucullus.

SECT. IX.—1. *Profugit*] The proper term for 'going into exile.' So 'fato profugus,' Virg. Profugi incertis sedibus vagabantur. Sall. Cat. 6.

2. *Fratris sui*] called Absyrtus or Ægialeus. He had accompanied Medea as far as Pontus, when a ship being descried from Colchis, Medea, suspecting it to carry her father, fled, and strewed the limbs of Absyrtus in the way. Ovid Trist. iii. 9. 27.

3. *Quâ*] per quæ loca.

4. *Eorum collectio dispersa*] i. e. dispersorum.

5. *Maximam vim, &c.*] Introd.

8. App. 82. Plut. Lucull. 17.

6. *Illum*] Æetes, Medea's father.

num⁷ posteaquam L. Lucullus cum exercitu venit, plures etiam gentes⁸ contra imperatorem nostrum concitatae sunt. Erat enim metus injectus iis nationibus, quas nunquam populus Romanus neque lacesendas bello, neque tentandas⁹ putavit. Erat etiam alia gravis atque vehemens opinio, quae per animos gentium barbararum pervaserat, fani¹⁰ locupletissimi et religiosissimi diripiendi causa in eas oras nostrum exercitum esse adductum. Ita nationes multae atque magnae novo quodam terrore ac metu concitabantur. Noster autem exercitus, etsi urbem¹¹ ex Tigranis regno ceperat, et proeliis usus erat secundis, tamen nimia longinquitate locorum ac desiderio¹² suorum commovebatur. Hic jam plura non dicam: fuit enim illud extremum,¹³ ut ex iis locis a militibus nostris reditus magis maturus, quam processio longior quaereretur. Mithridates autem et suam manum¹⁴ jam confirmarat, et eorum, qui se ex ejus regno collegerant, et

7. *Cujus in regnum, &c.*] Introd. 9.

8. *Plures gentes*] Arabes, Gordyeni, Albani, &c. These were barbarous tribes lying to the north of Armenia and Media.

9. *Bello—tentandas*] to be menaced with war. 'Tentamini leviter, quo animo libertatis vestrae diminutionem ferre possitis.' Agrar. ii. 7. V. E.

10. *Fani*] There was a celebrated temple of Bellona at Comana in Cappadocia, containing six thousand attendants, and whose high priest ranked next to the king. This temple was plundered by Murena, in the second Mithrid. war, (App. Mithr. 65,) and therefore can hardly be here intended. Besides Cappadocia was now under the sway of Ariobarzanes, an ally of Rome; but 'eas oras' seems to intimate barbarous tracts about Armenia, where the Roman army then was. This too prevents us from supposing Comana Pontica, the site of another temple of Bellona, to be meant. Cic., therefore, either refers to some temple about which we are not informed, or talks widely on a subject of which he knew the people

were ignorant.

11. *Urbem*] Tigranocerta. It was built on a hill, a little above the Tigris, and was so wealthy that Lucullus (according to Plut.) found in it eight thousand talents of gold.—Some suppose it alluded to by Hor. Epist. ii. 2. 30. Artaxata, the old capital, stood on the Araxes. Plut. Lucul. 26. 29.

12. *Nimia longinquitate—desiderio, &c.*] He does not mention the disaffection which Gabinius, the creature of Pompey, and Clodius, the unprincipled brother-in-law of Lucullus, had diffused through the army. Harus. R. 20. exercitu Luculli sollicitato, &c.

13. *Fuit illud extremum*] Introd. 9.

14. *Et suam manum*] Græv. *suum animum*, which is far preferable, as it is not easy to see how 'suam manum,' Mithridates's own army and 'eorum qui.....collegerant,' the forces collected out of his dominions—differ. Hottom. suggests that the former was given him by Tigranes. Neither is it clear whether 'eorum' is governed by 'manum' or 'copiis,' though the

magnis adventitiis multorum regum et nationum¹⁵ copiis juvabatur. Hoc jam fere¹⁶ sic fieri solere accepimus, ut regum afflictæ fortunæ facile multorum opes alliciant ad misericordiam, maximeque eorum, qui aut reges sunt, aut vivunt in regno: quod regale iis nomen magnum et sanctum¹⁷ esse videatur. Itaque tantum victus efficere potuit, quantum incolumis nunquam est ausus optare. Nam quum se in regnum recepisset suum, non fuit eo contentus, quod ei præter spem acciderat, ut illam, posteaquam pulsus erat, terram unquam attingeret: sed in exercitum vestrum,¹⁸ clarum atque victorem, impetum fecit. Sinite hoc loco, Quirites, (sicut poëtæ solent, qui res Romanas scribunt,) præterire¹⁹ me nostram calamitatem: quæ tanta fuit ut eam ad aures L. Luculli non ex prælio nuntius,²⁰ sed ex sermone rumor afferret. Hic in ipso illo malo, gravissimaque belli offensione, L. Lucullus, qui tamen aliqua ex parte iis incommodis mederi fortasse potuisset, vestro jussu coactus, quod imperii diuturnitati²¹ modum statuendum veteri exemplo²² putavistis, partem militum, qui jam stipendiis con-

latter is perhaps the better construction.

15. *Regum et nationum*] Medes, Adiabeniens, Iberians, from the Caspian Sea; Arabians, from the Persian Gulf, and Nomades, or Tartars, from the Araxes.

16. *Hoc jam fere, &c.*] Similarly Æschyl. Supplic. τοῖς ἡσσοσι γὰρ πᾶς τις εὐνοίας φέρεται. Senec. Misericordia non causam sed fortunam spectat. Vid. also, Val. Max. v. 3. 3.

17. *Sanctum*] 'a sancio,' i. e. defended by a sanction; though not devoted to a god. So 'sancti legati,' 'sanctæ leges,' and, Arch. 8. 'sancti poëtæ.'

18. *In exercitum vestrum*] Introd. 9. This statement was calculated to mislead. It was not the victorious army of Lucullus, who was then at Nisibis, in Mesopotamia, that was defeated, but the troops which had been intrusted to Fabius, to garrison Pontus, and the hasty reinforcements of Triarius.

19. *Præterire*] The law of ora-

tory differed from that of history;—'ne quid veri dicere non audeat.' De Or. ii. 15.

20. *Non ex prælio nuntius*] An exaggeration. Had not Mithridates been wounded in the action it would have been more nearly the fact. The slain amounted to seven thousand men. It was fought near Ziela.

21. *Diuturnitati*] Lucullus had held the command seven years. The practice of the Romans, heretofore, was not uniform in this respect. Thus Pompey was allowed, by the Gabinian law, three years to subdue the pirates; Verres had Sicily three years; Cæsar, Gaul ten years; yet he afterwards limited the prætorian provinces to one, and the consular to two years. Phil. i. 8.

22. *Vetere exemplo*] Sc. from the expulsion of the kings. Liv. iv. 24. Maximam ejus (libertatis Rom.) custodiam esse, si magna imperia diuturna non essent; et temporis modus imponeretur, quibus juris imponi non posset.

fectis²³ erant, dimisit, partem Glabrioni²⁴ tradidit.— Multa prætereo²⁵ consulto: sed ea vos conjectura perspicitis,²⁶ quantum illud bellum factum²⁷ putetis, quod conjungant reges potentissimi, renovent agitatae nationes, suscipiant integræ gentes, novus imperator²⁸ vester accipiat, vetere pulso exercitu.

X. Satis mihi multa verba fecisse videor, quare hoc bellum esset genere ipso necessarium, magnitudine periculosum: restat,¹ ut de imperatore ad id bellum deligendo ac tantis rebus præficiendo, dicendum esse videatur.²

Utinam, Quirites, virorum fortium atque innocentium copiam tantam haberetis, ut hæc vobis deliberatio difficilis esset quemnam potissimum tantis rebus ac tanto bello præficiendum putaretis! Nunc vero quum sit unus Cn. Pompeius, qui non modo eorum hominum, qui nunc sunt, gloriam, sed etiam antiquitatis memoriam virtute superarit: quæ res est quæ cujusquam animum in hac causa dubium facere possit? Ego enim sic existimo, in summo imperatore quatuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem. Quis igitur hoc homine scientior un-

23. *Stipendiis confectis*] Every Roman citizen was obliged, between the age of seventeen and forty-five, to make nine campaigns. The Fimbrian legions are here intended.

24. *Glabrioni*] Pro-consul of Bithynia. Introd. 9.

25. *Multa prætereo*] To spare the character of Lucullus.

26. *Sed ea vos perspicitis*] Al. *perspicite*. 'Ea' refers generally to the preceding statement, and comprehends 'quæ diligentissime providenda sunt,' (c. 8.); which he sums up in 'quantum, &c.' as if he had said: 'I have intentionally avoided entering fully into the subject; but, by putting together what has been said, (conjectura), you all see clearly these points; sc. how great a war must have resulted from the junction of powerful kings—from the renewal of it by excited hordes—the undertaking of it by fresh tribes—from its command being assumed by a general new to it—at the critical time when

your old army had sustained a defeat. All this, to be sure, is but one point, but being so extensive it may well be called *ea*.

27. *Factum*] Al. *futurum*.

28. *Novus imperator*] Glabrio, and not 'qui ad hoc bellum mittendus est,' as the Delph. For this might be Pompey, who surely would not contribute to make the war dangerous. Neither is 'pulso' 'dimisso' as the Delph. explains it, the defeat of Triarius being obviously alluded to.

SECT. X.—1. *Restat*] Used for transition to the second part of the oration.

2. *Esse videatur*] Quint. x. 2. says, "Noveram quosdam qui se pulchrè expressisse genus illud cœlestis hujus in dicendo viri viderentur, si in clausula possuissent 'esse videatur.'" Vid. also ix. 4. Forcel. confesses that 'videatur' is here pleonastic, yet 'non sine vi et elegantia.' This force and elegance he has not thought pro-

quam aut fuit, aut esse debuit? qui e ludo³ atque pueritiæ disciplina, bello⁴ maximo atque acerrimis hostibus,⁵ ad patris exercitum, atque in militiæ disciplinam profectus est: qui extrema pueritia⁵ miles fuit summi imperatoris,⁶ inunte adolescentia maximi ipse exercitus imperator;⁷ qui sæpius cum hoste confligit, quam quisquam cum inimico concertavit; plura bella gessit, quam ceteri legerunt, plures provincias confecit,⁸ quam alii concupiverunt; cujus adolescentia ad scientiam rei militaris non alienis præceptis, sed suis imperiis; non offensionibus belli, sed victoriis; non stipendiis, sed triumphis est erudita. Quod denique genus belli esse potest, in quo illum non exercuerit fortuna reipublicæ? Civile,⁹ Africanum, Transalpinum,¹⁰ Hispaniense, mixtum ex civitatibus¹¹ atque ex bellicosissimis nationibus,

per to explain. Perhaps the term expresses a doubt as to his own ability to do justice to the subject, or a modest deference to the people.

3. *E ludo*] Cic. omits here that Pompey pleaded causes for some time in the forum; but in Brut. 68. he notices his eloquence.

4. *Bello*] The Social. Introd. 10.

5. *Acerr. hostibus*] The Samnites, &c.

5. *Extrema pueritia*] Various divisions of the age of man prevailed at Rome. A. Gell. x. 28. notices that of Ser. Tullius, viz.—‘*pueritia*,’ up to seventeen; youth to forty-six; and then old age. Varro allows fifteen years for each step: ‘*pueritia*,’ up to fifteen; ‘*adolescentia*,’ to thirty; ‘*juventus*,’ to forty-five; ‘*seniores*,’ to sixty; and ‘*then senectus*,’ and this is followed by Latin writers in general.

6. *Summi imperatoris*] Pompeius Strabo. The Delph. erroneously; Sylla. Introd. 11.

7. *Maximi ipse exercitus*] Three legions. Dio, in the speech on the passing of the Gabinian law, which he attributes to Pompey, enumerates his early achievements; to which may be added a passage in the Afric. war of Hirt. where Cato reproaches the younger Pompey with his father’s

early glories.

8. *Confecit*] ‘*Administravit*’—quam plus quiddam est; nam exitum rei significat, *Manut.* And so *Forcel.* ‘governed more provinces.’ But it does not appear that Pompey was remarkable for the number of provinces which he had governed. Before his first consulship, A. U. 683, he was pro-prætor of Cis. Gaul; afterwards pro-consul of Spain; then city prætor (not a province) the year preceding his consulship, after which we find no pro-consular office up to the present time. Neither can it mean ‘*subjugavit plures nationes*,’ as the Delph., if *new* conquests be intended, for he had made none. Perhaps the explanation may be had, *inf.* 11, where he asks ‘*Quam provinciam tenuistis a prædonibus liberam?*’ All the countries lying on the Mediterranean, comprising numerous provinces, were in the hands of the pirates; by the conquest of whom these provinces were recovered, and, as it were, received their completion from Pompey.

9, *Civile*, &c.] Introd. 12. 15.

10. *Transalpinum*] *vid. inf.* 11. n. 4.

11. *Mixtum ex civitatibus*] i. e. states in Spain which had Roman in-

servile, navale bellum, varia et diversa genera, et bellorum et hostium, non solum gesta ab hoc uno, sed etiam confecta, nullam rem esse declarant in usu militari positam, quæ hujus viri scientiam fugere possit.

XI. Jam vero virtuti¹ Cn. Pompeii quæ potest par oratio inveniri? quid est, quod quisquam aut dignum illo, aut vobis novum, aut cuiquam inauditum possit afferre? Neque enim illæ sunt solæ² virtutes imperatoriæ, quæ vulgo existimantur, labor in negotiis, fortitudo in periculis, industria in agendo, celeritas in conficiendo, consilium in providendo: quæ tanta sunt in hoc uno, quanta in omnibus reliquis imperatoribus, quos aut vidimus, aut audivimus, non fuerunt. Testis est³ Italia, quam ille ipse victor, L. Sulla; hujus virtute et subsidio confessus est liberatam. Testis est Sicilia, quam multis undique cinctam periculis, non terrore belli, sed celeritate consilii, explicavit. Testis est Africa, quæ magnis oppressa hostium copiis, eorum ipsorum sanguine redundavit. Testis est Gallia,⁴ per quam legionibus nostris in Hispaniam iter,⁵ Gallorum internecione patefactum est. Testis est Hispania, quæ sæpissime plurimos hostes ab hoc superatos prostratosque conspexit. Testis est iterum⁶ et sæpius Italia, quæ, quum servili bello tetro periculosoque premeretur, ab

stitutions; opposed to 'nationibus;' warlike tribes. Sylv., followed by the Delph., considers the words 'mixtum, &c.' as referred to 'servile.' 'Civitates,' are then, the Roman cities; and 'nationes,' the Gauls and Germans. The accounts, however, which we have of that war render this explanation very improbable.

SECT. XI.—1. *Jam vero virtuti*] Having proved, c. 10., the military skill of Pompey, Cic. now proceeds to notice his 'virtue.' This admitted of a two-fold arrangement, 1. military in the proper sense, comprising 'labor in negotiis, fortitudo in periculis, &c. '; 2. moral, namely, 'innocentia, temperantia, fides.' Inf. c. 13.

2. *Neque enim illæ sunt solæ*] This exception is explained, inf. c. 13. 'sed multæ sunt artes eximiæ, &c.'

3. *Testis est*] Sc. that in imperial virtues he has no superior.

4. *Testis est Gallia*] Introd. 13. Cic. evidently does not mean Cisal. Gaul, where Pompey defeated Lepidus; and the historians supply us with no information about the exploits of Pompey in Transalp. Gaul. During the war of Sertorius he was obliged to retire from Spain into Gaul; on which occasion Hottom. thinks that this slaughter of the Gauls took place. But it appears, from a letter of Pompey to the senate (Sall. Hist. iii.) that it occurred on his way to Spain.—'Hostes in cervicibus Italiæ agentes ab Alpihus in Hispaniam submovi; per eas iter aliud atque Hannibal nobis opportunius patefeci; recepi Galliam, Pyrenæum, &c.'

5. *Iter*] Appian says, that it lay between the sources of the Po and Rhone.

6. *Iterum*] i. e. in the civil, and then the servile war.

hoc auxilium absente expetivit : quod bellum expectatione Pompeii attenuatum atque imminutum est, adventu sublatum ac sepultum. Testes vero jam omnes oræ, atque omnes exteræ gentes ac nationes, denique maria⁷ omnia, tum universa, tum in singulis omnes sinus atque portus. Quis enim toto mari locus per hos annos aut tam firmum habuit præsidium, ut tutus esset, aut tam fuit abditus ut lateret? Quis navigavit, qui non se aut mortis aut servitutis periculo committeret, quum aut hieme, aut referto⁸ prædonum mari navigaretur? Hoc tantum bellum,⁹ tam turpe, tam vetus,¹⁰ tam late dispersum, quis unquam arbitraretur aut ab omnibus imperatoribus uno anno, aut omnibus annis¹¹ ab uno imperatore confici posse? Quam provinciam tenuistis¹² a prædonibus liberam per hosce annos? quod vectigal vobis tutum fuit? quem socium defendistis? cui præsidio classibus vestris fuistis? quam multas existimatis insulas esse desertas? quam multas aut metu relictas, aut a prædonibus captas urbes¹³ esse sociorum?

XII. Sed quid ego longinqua¹ commemoro? Fuit hoc quondam, fuit proprium populi Romani longe a domo bellare, et propugnaculis² imperii sociorum fortunas, non sua tecta defendere. Sociis vestris ego mare clausum per hosce annos dicam fuisse, quum exercitus nostri a Brundisio³ nunquam, nisi summa hieme,⁴ transmiserint?⁵ Qui ad vos

7. *Maria*] The Mediter. Sea was variously named, according to the adjoining coast, Tuscan, Sicilian, Lybian, &c., &c., in all which the pirates were defeated.

8. *Referto*] Re and farcio.

9. *Hoc tantum bellum*] Introd. 15.

10. *Vetus*.] It was of upwards of twenty years standing, from A. V. 666 to 687.

11. *Omnibus annis*] Through a whole life; yet Pompey despatched it in forty days.

12. *Quam provinciam tenuistis*.] Hence 'plures provincias confecit,' supra. c. 10. n. 8; where, perhaps, these provinces are more particularly alluded to.

13. *Captas urbes*] According to Plut., forty.

SECT. XII.—1. *Longinqua*] The

acts of the pirates in *distant* regions.

2. *Propugnaculis*] Colonies planted in conquered countries to maintain the Roman authority and repress the incursions of the barbarians. *Ern.* Similarly ἐπιτειχίσματα τῆς χώρας. Dem. Phil. i. 5. Hor., Epod. 1., applies it to ships. Ibis Liburnis inter alta navium, Amice, propugnacula. Hence Guthrie's transl. 'floating bulwarks.' But it may be referred generally to all the means of defence which the empire could command.

3. *A Brundisio*.] This city lay in the usual route to Greece; and armies were now marching to Asia, against Mithridates.

4. *Summa hieme*] Elegantly for 'bruma.'

5. *Transmiserint*] i. e. 'miserint se trans maria.' Nat. Deor. ii. 49.

ab exteris nationibus venirent, captos querar, quum legati populi Romani redempti⁶ sint? mercatoribus tutum mare non fuisse dicam, quum duodecim secures⁷ in prædonum potestatem pervenerint? Cnidum⁸ aut Colophonem, aut Samum, nobilissimas urbes, innumerabilesque alias, captas esse commemorem, quum vestros portus, atque eos portus,⁹ quibus vitam¹⁰ et spiritum ducitis, in prædonum fuisse potestate sciatis? An vero ignoratis, portum Caietæ celeberrimum¹¹ atque plenissimum navium, inspectante prætore,¹² a prædonibus esse direptum? Ex Miseno autem, ejus ipsius liberos,¹³ qui cum prædonibus antea ibi bellum gesserat, a prædonibus esse sublato? Nam quid ego Ostiense incommodum,¹⁴ atque illam labem atque ignominiam reipublicæ querar, quum, prope inspectantibus vobis, classis ea, cui consul populi¹⁴ Romani præpositus esset, a prædonibus capta atque oppressa est? Pro dii immortales!

Grues quum loca calidiora petentes maria transmittant, triangulum faciunt.

6. *Redempti sint*] It is not known to whom Cic. here alludes.

7. *Duodecim secures*] i. e. two prætors, sc. Sextilius and Bellinus, who proceeding to their provinces, were, with their lictors, seized by the pirates. Plut. Pomp. 24. The prætor was attended by two lictors in the city; without the city, by six.

8. *Cnidum*] a city of Caria; 'Colophon' of Ionia. 'Samus,' the capital of an island of the same name, which lies off the southern extremity of Ionia. Æn. i. 15. It was usual for the city and island to have the same appellation. So Corn. Nepos, in Milt. c. 7, speaks of the island and town of Parus.

9. *Eos portus*] Sc. (inf.) Caieta, Misenum, Ostia. It was in them that provision ships from Africa, Sicily, Sardinia, &c. collected. The first derives its name from the nurse of Æneas: 'Tu quoque littoribus nostris, Æneïa, nutrix, Æternam moriens famam, Caieta, dedisti.' The second, from his trumpeter, Æn. vi. 162. It was the station of the Roman fleet in

the Lower Sea; the third was built by Ancus Martius, at the *ostium* Tiberis, about twenty miles from Rome.

10. *Quibus vitam, &c.*] These words, taken out of the figure, import 'supplies of corn, &c.'

11. *Celeberrimum*] thronged, populous. Arch. 3. 'urbs celebris;' Mil. 24. 'in loco celebri.' Hor. Ser. i. 17, 28. 'Celeberrima per loca vadet.'

12. *Inspectante prætore.*] Perhaps Antonius Creticus, the father of the triumvir, who had, before this, been unsuccessful in waging the piratic war, and whose daughter was taken by the pirates. Plut. in Pomp. 24. And this agrees with the following, 'ejus liberos qui, &c.'

13. *Ejus ipsius liberos qui, &c.*] i. e. filiam; so Phil. i. 1, 'liberos' for the son of M. Antony; and Prov. Cons. 14, 'ad jucundissimos liberos,' i. e. Julia, the daughter of Cæsar.

14. *Ostiense in commodum.*] Dio xxvi. relates that the pirates not only took and plundered the harbour, but made it a sort of depository for their spoils.

14. *Consul populi.*] He seems here to have omitted the names of the prætor

tantamne unius hominis incredibilis ac divina virtus tam brevi tempore lucem afferre¹⁵ reipublicæ potuit, ut vos, qui modo ante ostium Tiberinum classem hostium videbatis, ii nunc nullam intra Oceani¹⁶ ostium prædonum navem esse audiat? Atque hæc, qua celeritate gesta sint, quamquam videtis, tamen a me in dicendo prætereunda non sunt. Quis enim unquam, aut obeundi negotii, aut consequendi quæstus¹⁷ studio, tam brevi tempore, tot loca adire, tantos cursus¹⁸ conficere potuit, quam celeriter, Cn. Pompeio duce, belli impetus¹⁹ navigavit? qui nondum tempestivo ad navigandum mari Siciliam adiit, Africam exploravit: inde Sardiniam cum classe venit, atque hæc tria frumentaria²⁰ subsidia reipublicæ firmissimis præsidiis classibusque munivit. Inde se quum in Italiam recepisset, duabus Hispaniis²¹ et Gallia Cisalpina²² præsidiis ac navibus confirmata, missis item in oram Illyrici maris,²³ et in Achaïam omnemque

and consul as being notorious, or perhaps through contempt.

15. *Lucem afferre*] *φώς δ' ἐράροισιν ἔθηκε.* Il. vi. 6. Phil. i. 2. *Lux* quædam...oblata.

16. *Oceani*] The Atlantic 'ostium;' sc. the straits of Gibraltar.

17. *Obeundi negotio—consequendi quæstus.*] By the former are meant 'negotiatores;' persons conducting business for others; by the latter, merchants trading on their own account. *Hottom.*

18. *Cursus*] navigationes. 'Quæ proxima littora cursu—Contendunt petere, &c.'—Virg.

19. *Belli impetus.*] Cic., to ingratiate himself with Pompey, bestowed the utmost pains on this speech; so that speaking, in a letter to Atticus, of Pompey's character, as herein depicted, he says 'omnibus, a me pictum et expolitum artis coloribus.' Hence he often rises to expressions far above the range of mere oratory, and highly poetic. Such is 'belli impetus navigavit,' where 'belli impetus' is not, as *Hottom.* explains it, 'classis Pompeii,' but (like *στόμα πτολέμοιο* in Homer) put simply for

'bellum.' So *Lucret.* v. 201....quantum cœli tegit impetus ingens.' Similarly we might say, 'the thunder of war rolled along.' Gray. 'Sailing with supreme dominion, Through the azure depths of air.' Vid. Eng. Trans.

20. *Tria frumentaria*] i. e. which supplied 'frumentum;' qu. 'frugimentum,' a generic word for all kinds of grain. For Sardinia, Egypt is sometimes substituted.

21. *Duabus Hispaniis*] sc. Citerior or Tarraconensis; and Ulterior, or Bætica and Lusitania; said, but incorrectly, to be separated by the Iberus; whereas, a line drawn from Carthago Nova, on the Mediterranean to the mouth of the Durus on the Atlantic would be the proper boundary.

22. *Gallia Cisalpina*] sometimes simply called 'Gallia,' (Phil. xii. 4.); and by Cæsar 'Citerior,' lay between the Alps and the Rubicon. So *Lucan*, i. 214.:

———et Gallica certus
Limes ab Ausoniis disternat arva
colonis.

23. *Illyrici maris*] a part of the Adriatic washing the coast of Illyricum.

Græciam navibus, Italiæ duo maria²⁴ maximis classibus firmissimisque præsiidiis adornavit : ipse autem, ut a Brundisio profectus est, undequinquagesimo die totam ad imperium populi Romani Ciliciam adjunxit : omnes, qui ubique prædones fuerunt, partim capti interfectique sunt, partim unius hujus imperio ac potestati se dediderunt. Idem Cretensibus,²⁵ quum ad eum usque in Pamphyliam²⁶ legatos deprecatoresque misissent, spem deditiōis non ademit, obsidesque imperavit. Ita tantum bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes premebantur, Cn. Pompeius, extrema hieme apparavit, inunte vere suscepit, media æstate confecit.

XIII. Est hæc divina atque incredibilis virtus imperatoris. Quid? ceteræ, quas paullo ante¹ commemorare cœperam, quantæ atque quam multæ sunt? non enim solum bellandi virtus in summo atque perfecto imperatore quærenda est : sed multæ sunt artes eximiæ, hujus administræ comitesque virtutis. Ac primum quanta innocentia² debent esse imperatores? quanta deinde omnibus in rebus temperantia? quanta fide? quanta facilitate?³ quanto ingenio?⁴ quanta humanitate? Quæ breviter, qualia sint in Cn. Pompeio, consideremus. Summa enim omnia sunt, Quirites : sed ea magis ex aliorum contentione,⁵ quam ipsa per sese cognosci atque intelligi possunt. Quem⁶ enim possumus imperato-

24. *Duo maria*] The Adriatic and Tuscan :

Virg. 'An mare quod supra memorem, quodque alluit infra.'

25. *Idem Cretensibus*] Introd. 15. As Pompey's commission extended to all the maritime provinces, he thought proper to receive certain ambassadors sent by the Cretans, then on the eve of surrendering to Q. Metellus, and by commanding him to raise the siege, appeared disposed to snatch the laurels from his brow. Metellus, however, despising his orders, took their city and punished the citizens, although Octavius, Pompey's lieutenant, lent them assistance. Flor. iii. 7.

26. *Usque in Pamphyliam*] the

limit of his commission in the piratical war.

SECT. XIII.—1. *Ceteræ, quas paulo ante*] sc. c. 11. The second species, or moral qualities.

2. *Innocentia*] rapacitati atque avaritiæ opponitur. *Forcel.*; 'disinterestedness.'

3. *Facilitate*] Of what affability.

4. *Ingenio*] This is explained infra, c. 14, by 'consilio...et dicendi gravitate et copia.'

5. *Aliorum contentione*] by comparison with others. 'Si contentio quædam et comparatio fiat.' Off. i. 17. V. E.

6. *Quem—imperatorem*] Perhaps Lucullus, whom Gabinius and others represented as avaricious : perhaps

rem aliquo in numero⁷ putare, cujus in exercitu veneant centuriatus⁸ atque venierint?⁹ quid hunc hominem magnum aut amplum de republica cogitare, qui pecuniam,¹⁰ ex ærario depromptam ad bellum administrandum, aut propter cupiditatem provinciæ magistratibus¹¹ diviserit, aut propter avaritiam Romæ in quæstu¹² reliquerit? Vestra admurmuratio¹³ facit, Quirites, ut agnoscere videamini, qui hæc fecerint: ego autem neminem nomino; quare irasci mihi¹⁴ nemo poterit, nisi qui ante de se voluerit confiteri. Itaque, propter hanc avaritiam imperatorum, quantas calamitates, quocunque ventum sit, nostri exercitus ferant, quis ignorat? Itinera,¹⁵ quæ per hosce annos in Italia per agros atque oppida civium Romanorum nostri imperatores fecerunt, recordamini: tum facilius statuetis, quid apud exterarum nationes fieri existimetis. Utrum plures arbitramini per hosce annos militum vestrorum armis hostium urbes, an hibernis, sociorum civitates esse deletas? Neque enim¹⁶ potest exercitum is continere imperator, qui se ipsum non continet:

Glabrio, to whose conduct 'veneant' 'are on sale,' seems better to apply.

7. *Aliquo in numero*] 'Rank, estimation.' Phil. ii. 29. Post (Cæsaris) ex Africa reditum, quo numero fuisti?

8. *Centuriatus*.] And yet the regular pay of a centurion, equal in rank to our captain, was but double in amount to that of a private. *V. E.*

9. *Veneant—venierint*.] The Greek præter-perfect, expressing a past continued to the present, would supersede the necessity of two verbs, as here.

10. *Pecuniam*] Money voted to the governor of a province, on his appointment, and called 'attributa.' Vid. next note.

11. *Magistratibus*.] These were, most probably, the tribunes of the people. That 'cupiditatem provinciæ' alludes to the prorogation of a provincial command, and not the first appointment, as the Delph. explains it, is obvious from the grant of the money being 'ad bellum administrandum;' which implies that the province was already

granted; unless, which seldom occurred, we suppose the war to be independent of the command of a province; in which case the military supplies might be disposed of as stated in the text.

12. *In quæstu*] at interest;—apud argentarios. *Hottom.* So Pis. 35. 'Nonne sestertium centies et octogies...ex ærario tibi attributum, Romæ in quæstu reliquisti.'

13. *Admurmuratio*] These 'whispers' are noticed by Cic. as a justification of his animadversions. The people acknowledged their truth, and made the proper application.

14. *Quare irasci mihi*] The Cardinal Maury supposes that Cic. had met with some interruption from the adherents of Glabrio, or Lucullus; that he waited till silence was restored, and then availed himself of the interruption to hint, that 'the cap fitted.' *V. E.*

15. *Itinera, &c.*] Whether of armies proceeding to the provinces, or against Spartacus.

16. *Neque enim, &c.*] If these are not what rhetoricians call 'common

neque severus esse in judicando,¹⁷ qui alios in se severos esse judices non vult. Hic miramur, hunc hominem tantum excellere ceteris, cujus legiones sic in Asiam¹⁸ pervenerunt, ut non modo manus tanti exercitus, sed ne vestigium quidem cuiquam pacato nocuisse dicatur? Jam vero, quemadmodum milites hibernent, quotidie¹⁹ sermones ac literæ perferuntur. Non modo, ut sumptum faciat in militem, nemini vis affertur: sed ne cupienti quidem cuiquam permittitur. Hiemis enim, non avaritiæ perfrugium majores nostri in sociorum atque amicorum tectis esse voluerunt.

XIV. Age vero ceteris in rebus qualis sit temperantia,¹ considerate. Unde illam tantam celeritatem, et tam incredibilem cursum inventum² putatis? Non enim illum eximia vis remigum, aut ars inaudita quædam gubernandi, aut venti aliqui novi, tam celeriter in ultimas terras³ pertulerunt: sed cæ res, quæ ceteros remorari solent, non retardarunt: non avaritia ab instituto cursu ad prædam aliquam devocavit, non libido ad voluptatem, non amœnitas ad delectationem, non nobilitas urbis⁴ ad cognitionem, non denique labor ipse ad quietem. Postremo signa, et tabulas,⁵ ceteraque ornamenta Græcorum oppidorum, quæ ceteri⁶ tollenda esse arbitran-

places,' they allude to Lucullus and Glabrio.

17. *Severus in judicando*] Πικρὸς ἐξέρασθης. Dem.

18. *Sic in Asiam, &c.*] i. e. 'To Cilicia and Pamphylia,' during the late war against the pirates.

19. *Quotidie, &c.*] Pompey was now in Cilicia, from which he proceeded to assume the command, after the law passed.

SECT. XIV.—1. *Qualis sit temperantia*] Cicero's distinctions are sometimes too nice. Thus 'temperantia' falls in very much with 'innocentia;' as appears from his opposing both to 'avaritia.' By 'temperantia,' however, he means that virtue which keeps all the passions within the bounds of reason, whereas 'innocentia' is rather limited to abstinence from rapacity and avarice. Supr. c. 13. n. 2.

2. *Inventum*] Al. initum. Sed

est e Græca consuetudine in verbo ἐνπίσκειν, properare, consequi, &c. Ern.

3. *In ultimas terras*] Sc. Pamphylia.

4. *Nobilitas urbis*] Perhaps Athens is alluded to; on visiting which, according to Plut., Pompey barely stayed to offer sacrifices, and proceeded on his march. Hottom.

5. *Signa et tabulas, &c.*] Cic. Verr. vii. notices this robbery more particularly, and says that Athens, Pergamus, Cyzicus, Chios, Samos, all Asia, Greece, and Sicily are to be seen in the environs of a few Roman villas. And writing to his brother, 'Præclarum est summo cum imperio fuisse in Asia triennium, sic ut nullum te signum, nulla pictura, nulla vestis, nullum mancipium, nulla forma cujusquam, nulla conditio pecuniæ ab summa continentia deduxerit.'

6. *Ceteri*] e. g. Mummius. M.

tur, ea sibi ille ne visenda quidem existimavit. Itaque omnes quidem, nunc in his locis Cn. Pompeium, sicut aliquem non ex hac urbe missum, sed de cœlo delapsum,⁷ intuentur: nunc denique⁸ incipiunt credere, fuisse homines Romanos⁹ hac quondam abstinencia: quod jam nationibus exteris incredibile ac falso memoriæ proditum videbatur. Nunc imperii vestri splendor illis gentibus lucet: nunc intelligunt, non sine causa majores suos tum, quum hac temperantia magistratus habebamus, servire populo Romano, quam imperare aliis, maluisse. Jam vero ita faciles¹⁰ aditus ad eum privatorum, ita libertæ querimoniae de aliorum injuriis esse dicuntur, ut is, qui dignitate principibus excellit, facilitate par infimis esse videatur. Jam quantum consilio,¹¹ quantum dicendi gravitate et copia valeat, in quo ipso¹² inest quædam dignitas imperatoria, vos Quirites, hoc ipso in loco¹³ sæpe cognostis. Fidem vero ejus inter socios quantam existimari putatis, quam hostes omnium gentium¹⁴ sanctissimam¹⁵ judicarint? Humanitate jam tanta est, ut difficile dictu sit, utrum hostes magis virtutem ejus pugnantem timerint, mansuetudinem victi dilexerint. Et quisquam dubitabit, quin huic hoc tantum bellum transmittendum¹⁶ sit, qui ad omnia nostræ memoriæ bella conficienda divino quodam consilio natus esse videatur?

XV. Et, quoniam auctoritas¹ multum in bellis quoque² administrandis atque in imperio militari valet; certe

Scaurus exhibited three thousand statues at his shows, as ædile.

7. *De cœlo delapsus*] Again, to his brother, 'Græci sic te intuebuntur....ut etiam e cœlo divinum hominem esse in provinciam delapsus putent.

8. *Nunc denique*] Now for the first time.

9. *Fuisse homines Rom.*] Curius Dentatus, Fabricius, &c. *Val. Max.* iv. 3.

10. *Faciles*] C. 13, 'fides' is put before 'facilitas' and 'ingenium,' but is here illustrated after them.

11. *Consilio*] Used for 'ingenio,' as being a high exertion of talent, and therefore more complimentary.

12. *In quo ipso*] Sc. 'dicendi gra-

vitae, &c.,' not as the translators — 'Pompeio.'

13. *Hoc ipso loco*] The Rostra, whence Pompey had frequently addressed the people.

14. *Gentium*] Al. *generum*, a reading which would lead us to imagine that by 'hostes omnium gentium' some understood 'enemies out of all nations.' But comp. note 9. c. sequent.

15. *Sanctissimam judicarint*] By unconditional surrenders.

16. *Huic—transmittendum*] Sc. being absent from Rome.

SECT. XV.—1. *Auctoritas*] 'High reputation.' Top. 19. Ad fidem faciendam auctoritas quæritur.

2. *In bellis quoque*] Not alone in

nemini dubium est, quin ea re idem ille imperator plurimum possit. Vehementer autem pertinere ad bella administranda, quid hostes, quid socii de imperatoribus vestris existiment, quis ignorat, quum sciamus, homines in tantis rebus, ut aut contemnant, aut metuant, aut oderint, aut ament, opinione non minus et fama,³ quam aliqua certa ratione⁴ commoveri? Quod igitur nomen unquam in orbe terrarum clarius fuit? cujus res gestæ pares? de quo homine vos, id quod maxime facit auctoritatem, tanta et tam præclara judicia⁵ fecistis? An vero ullam usquam esse oram tam desertam putatis, quo non illius diei⁶ fama pervaserit, quum universus populus Romanus, referto foro,⁷ repletisque omnibus templis,⁸ ex quibus hic locus conspici potest, unum sibi ad commune omnium gentium bellum⁹ Cn. Pompeium imperatorem depoposcit? Itaque, ut plura non dicam, neque aliorum exemplis confirmem, quantum [hujus] auctoritas valeat in bello; ab eodem Cn. Pompeio omnium rerum egregiarum exempla sumantur: qui quo die a vobis maritimo bello præpositus est imperator, tanta repente vilitas¹⁰ annonæ¹¹ ex summa inopia et caritate rei frumentariæ consecuta est, unius hominis spe et nomine, quantam vix ex summa ubertate agrorum diuturna pax efficere potuisset. Jam, accepta in Ponto calamitate,¹² ex eo prælio, de quo vos paullo ante invitus

civil affairs.

3. *Opinione—fama*] Al. *opinione famæ*; i.e. ipsa fama; vel potius estimatio a fama nata. *Grut.*

4. *Certa ratione*] 'Any sure rule.'

5. *Tanta judicia*] This term implies the honours awarded to merit, as explained, *supr. c. 1*, 'ex vestro iudicio fructum'. *Planc. 39*. 'Cæsaris laudibus quas...amplissimis iudiciis videam esse celebratas.' Here perhaps the early triumphs and consulate of Pompey are intended, if we do not refer it to his appointment to the Sertorian and piratical wars.

6. *Illius diei*] When the Gabinian law was passed.

7. *Referto foro*] He means the Comitium, which is often confounded with the forum. It was at first an open space near the Curia, but about the time of Hannibal was roofed in.

Liv. xxvii. 36.

8. *Omnibus templis*] The forum was surrounded by temples dedicated to different divinities. *Mil. 1*. It was also a temple itself. *Inf. 24. n. 2.*

9. *Ad commune omn. gent. bel.*] For the pirates were the common enemy of all; as *c. 14*. 'hostes omnium gentium.'

10. *Tanta repente vilitas*] This is easily conceived. The grain-merchant....qui propriis condidit horreis Quicquid de Lybicis verritur areis—anticipating a large supply from the foreign market, in consequence of the seas being cleared of the pirates, was glad to dispose of his store before its arrival.

11. *Annonæ*] q. d. annuus cibus.

12. *Accepta in Ponto calamitate*] The defeat of Triarius.

admonui, quum socii pertinuissent, hostium opes animique crevissent, satis firmum præsidium provincia¹³ non haberet: amisissetis Asiam, Quirites, nisi ipsum id temporis divinitus¹⁴ Cn. Pompeium ad eas regiones¹⁵ fortuna populi Romani¹⁶ attulisset.¹⁷ Hujus adventus et Mithridatem insolita¹⁸ inflammatum victoria¹⁹ continuit,²⁰ et Tigranem²¹ magnis copiis minitantem Asiæ retardavit. Et quisquam dubitabit,²² quid virtute perfecturus sit, qui tantum auctoritate profecerit? aut quam facile imperio atque exercitu socios et vectigalia conservaturus sit, qui ipso nomine ac rumore defenderit?

XVI. Age vero,¹ illa res quantam declarat ejusdem hominis apud hostes populi Romani auctoritatem, quod ex locis tam longinquis,² tamque diversis, tam brevi tempore omnes uni huic se dediderunt? quod Cretensium legati,³ quum in eorum insula noster imperator⁴ exercitusque esset, ad Cn. Pompeium in ultimas⁵ prope terras venerunt, eique se omnes Cretensium civitates dedere velle dixerunt? Quid item ipse Mithridates?⁶ nonne ad eundem Cn. Pompeium, legatum usque in Hispaniam misit? eum quem Pompeius legatum semper judicavit: ii, quibus⁷ semper erat molestum ad eum potissimum esse missum, speculatorem, quam

13. *Provincia*] Vid. c. 2. n. 6. He calls it Asia immediately after.

14. *Divinitus*] *θεία φύχη*; for Pompey was sent to the piratical war.

15. *Ad eas regiones*] Cilicia and Pamphylia.

16. *Fortuna pop. Rom.*] This is not inconsistent with 'divinitus,' because Cic. conceived fortune itself to depend on the divine allotment. Inf. 'divinitus adjuncta fortuna.' So Æschyl. θεοῦ δὲ δῶρον ἐστὶν ἐντυχεῖν βροτούς.

17. *Attulisset*] He had personified 'fortune.'

18. *Insolita*] For he had been conquered by Sylla, Murena, and Lucullus.

19. *Victoria*] That over Triarius.

20. *Continuit*] This is appropriate to Mithridates, who was near; as 'retardavit' to Tigranes, who was at a distance.

21. *Tigranem*] Introd. 9.

22. *Quisquam dubitabit*] None; for if the reputation of valour effected so much, what will not valour itself effect?

SECT. XVI. 1. *Age vero*] He proceeds to prove his 'authority,' by the fact of the Cretans and Mithrid. having sent embassies to him.

2. *Tam longinquis, &c.*] As the pirates possessed.

3. *Cretensium legati.*] Introd. 15. and c. 12.

4. *Noster imperator*] Metellus.

5. *Ultimas*] Not in reference to Crete but Rome.

6. *Item ipse Mithrid.*] We are assured that Mithrid. sent an ambassador into Spain, to Sertorius, while Pompey was there. That he ever sent one to Pompey is so improbable, that we need not wonder people thought him 'a spy,' Al. *idem*.

7. *Ii, quibus, &c.*] The friends of Metellus, the senior general in Spain.

legatum judicari maluerunt. Potestis igitur jam constituere, Quirites, hanc auctoritatem, multis postea⁸ rebus gestis, magnisque vestris judiciis⁹ amplificatam, quantum apud illos reges, quantum apud exterarum nationum valituram esse existimetis.

Reliquum est, ut de felicitate, (quam præstare de se ipso nemo potest,¹⁰ meminisse et commemorare de altero possumus,) sicut æquum est homini de potestate deorum, timide et pauca dicamus. Ego enim sic existimo: Maximo,¹¹ Marcello,¹² Scipioni,¹³ Mario,¹⁴ et ceteris magnis imperatoribus, non solum propter virtutem, sed etiam propter fortunam, sæpius imperia mandata, atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quædam ad amplitudinem et gloriam, et ad res magnas bene gerendas divinitus adjuncta fortuna: de hujus autem hominis felicitate quo de nunc agimus, hac utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam, sed ut præterita meminisse, reliqua sperare videamur; ne aut invisæ diis¹⁵ immortalibus oratio nostra, aut¹⁶ ingrata esse videatur. Itaque non sum prædicaturus, Quirites, quantas ille res domi militiæque, terra marique, quantaque felicitate gesserit: ut¹⁷ ejus semper voluntatibus non modo cives assenserint,¹⁸ socii obtemperarint, hostes obedierint, sed etiam venti tempestatesque¹⁹ obsecundarint. Hoc brevissime di-

8. *Postea*] i. e. After the Spanish war.

9. *Vestris judiciis*] c. 15. Among them is, no doubt, the decree of Gabinus.

10. *Nemo potest meminisse*] *Quam autem* are understood before 'meminisse';—'but which we may, &c.'

11. *Maximo*] Sc. Fabio. He is usually called 'cunctator,' from his conquering Hannibal, 'cunctando.' 'Unus qui nobis cunctando restituit rem.' Enn. and Virg. Liv. xxx. 26.

12. *Marcello*] He was five times consul; the conqueror of Gaul, of Syracuse, and of Hannibal, at Nola; in an engagement against whom he fell. A. V. 545.

13. *Scipioni*] Sc. Africano. He obliged Hannibal to leave Italy by in-

vading Africa, which he conquered.

14. *Mario*] The conqueror of Jugurtha, the Teutones, and Cimbri. He was seven times consul.

15. *Invisæ diis*] Sc. if he said, 'in illius potestate fortunam positam esse.'

16. *Ingrata*] If he failed, 'præterita meminisse, reliqua sperare.'

17. *Ut ejus, &c.*] 'Ut' for *quàm*. 'How, &c.'

18. *Assenserint*] More frequently deponent. Yet Sisenna (as Varro testifies) always in the senate said 'Assentio.'

19. *Tempestates*] If Cic. did not so frequently join together two synonyms, this might be translated 'calms.' Fam. xvi. 1. Et comites et tempestates, et navem idoneam ut habeas, diligenter videbis. The

cam, neminem unquam tam impudentem fuisse, qui a diis immortalibus tot et tantas res tacitus auderet optare, quot et quantas dii immortales ad Cn. Pompeium detulerunt. Quod ut illi proprium ac perpetuum sit, Quirites, quum communis salutis atque imperii, tum ipsius hominis causa, sicuti facitis,²⁰ velle et optare debetis.

Quare quum²¹ et bellum ita necessarium sit, ut negligi non possit: ita magnum, ut accuratissime sit administrandum: et quum ei imperatorem præficere possitis, in quo sit eximia belli scientia, singularis virtus, clarissima auctoritas, egregia fortuna: dubitabitis, Quirites, quin hoc tantum boni, quod vobis a diis immortalibus oblatum et datum est, in rempublicam conservandam atque amplificandam conferatis?

XVII. Quod si Romæ Cn. Pompeius privatus esset hoc tempore: tamen ad tantum bellum is erat deligendus atque mittendus. Nunc, quum ad ceteras summas utilitates hæc quoque opportunitas adjungatur, ut in iis ipsis locis adsit, ut habeat exercitum, ut ab iis, qui habent, accipere statim possit: quid exspectamus? aut cur non, ducibus diis immortalibus, eidem, cui cetera summa cum salute reipublicæ commissa sunt, hoc quoque bellum regium committimus?

At enim vir clarissimus, amantissimus reipublicæ, vestris beneficiis amplissimis affectus, Q. Catulus;¹ itemque summis ornamentis honoris, fortunæ, virtutis, ingenii præditus, Q. Hortensius,² ab hac ratione dissentiunt: quorum ego auctoritatem apud vos multis locis plurimum valuisse, et valere oportere confiteor; sed in hac causa tametsi cognoscitis auctoritates contrarias fortissimorum virorum et clarissimorum, tamen, omissis auctoritatibus,³ ipsa re et ratione ex-

Delph. quotes *Æn.* ix.

— Unde hæc tam clara repente Tempestas.

20. *Sicuti facitis*] Sc. by conferring on him public employments.

21. *Quare quum, &c.*] The general conclusion before proceeding to the confutation.

SECT. XVII.—1. *Q. Catulus*] He was consul with Lepidus, A. U. 675, and opposed rescinding Sylla's acts. It was he who pronounced Cicero 'pater patriæ.' He was fortunate, Cic. thinks, as well in the splendour of his life as the time of his death,

which occurred A. U. 693, about the formation of the first triumvirate.

2. *Hortensius*] was in the zenith of his fame when Cic., who was afterwards his great rival, came to the forum. He appears to have been more remarkable for eloquence than integrity; and the immense wealth which he acquired gave a colour to the charge of avarice. He was one of that knot of 'optimates' who considered themselves the republic. He was consul with Cæcilius Metellus, A. U. 684.

3. *Omissis auctoritatibus*] Nat.

quirere possumus veritatem : atque hoc facilius, quod ea omnia, quæ adhuc a me dicta sunt, iidem isti vera esse concedunt, et necessarium bellum esse, et magnum, et in uno Cn. Pompeio summa esse omnia. Quid igitur ait Hortensius ? “ Si uni omnia tribuenda sint, unum dignissimum esse Pompeium : sed ad unum tamen omnia⁴ deferri non oportere.” Obsolevit⁵ jam ista oratio, re multo magis quam verbis refutata. Nam tu idem, Q. Hortensi, multa, pro tua summa copia ac singulari facultate dicendi, et in senatu contra virum fortem A. Gabinium,⁶ graviter ornateque dixisti, quum is de uno⁷ imperatore contra prædones constituendo legem promulgasset : et ex hoc ipso loco permulta item contra legem eam verba fecisti. Quid ? tum, per deos immortales ! si plus apud populum Romanum auctoritas tua, quam ipsius populi Romani salus et vera causa valuisset, hodie hanc gloriam atque hoc orbis terræ imperium teneremus ? An tibi tum imperium esse hoc videbatur, quum populi Romani legati, prætores, quæstoresque capiebantur ? quum ex omnibus provinciis commeatu,⁸ et privato, et publico, prohibebamur ? quum ita clausa erant nobis omnia maria, ut neque privatam rem transmarinam, neque publicam⁹ jam obire possemus ?

XVIII. Quæ civitas antea unquam fuit, non dico Atheniense,¹ quæ satis late quondam mare tenuisse dicitur ; non

De. i. 5. Non tam auctoritates in disputando quam rationum momenta quærenda sunt. *Hottom.*

4. *Ad unum omnia*] For, not only the army and province of Lucullus were to be assigned to him, but also the naval forces which he had employed in the piratical war.

5. *Obsolevit*] *Ob*—*soleo*, q. d. ‘against use.’ Tr. ‘lost its value.’ Phil. ii. 41.

6. *A. Gabinium*] Of this unprincipled tribune Cic. (in Sen. p. Red. 5.) says, that if he had not carried his law he must have turned pirate himself. And this accounts for his resolution (viriū fortem) in urging the law, in defiance of the opposition of the senate and Trebellius, his colleague, whom he had nearly deposed from his office by a vote of the tribes,

before he withdrew his opposition.

7. *De uno*] For Pompey was not named in the law.

8. *Commeatu.*] This word is from *con* and *meo*, i. e. *eo* ; and imports, 1. coming and going, free intercourse ; 2. annona quæ *commeando* comporatatur—provisions. *Forcel.* But it may well be taken in the first sense here ; as it was not usual for Rome to get supplies of corn from *all the provinces*. This, therefore, is not to be referred to ‘caritate rei frumentariæ’ *supr.* c. 15. as *Hottom.* and the *Delph.* think.

9. *Publicam*] i. e. The magistrates did not venture to proceed to the provinces.

SECT. XVIII.—1. *Atheniense*] *Diony. Hall.* i. 1, informs us, that for nearly seventy years the Athenians

Carthaginiensium,¹ qui permultum classe maritimisque rebus valuerunt; non Rhodiorum,³ quorum usque ad nostram memoriam disciplina navalis et gloria remansit: quæ civitas antea unquam tam tenuis, quæ tam parva insula fuit, quæ non portus suos, et agros, et aliquam partem regionis atque oræ maritimæ per se ipsa defenderet? At, hercle, aliquot annos continuos ante legem Gabiniam ille populus Romanus, cujus, usque ad nostram memoriam, nomen invictum in navalibus pugnis⁴ permanserat, magna ac multo maxima parte non modo utilitatis,⁵ sed dignitatis⁶ atque imperii caruit: nos, quorum majores Antiochum regem classe, Persenque⁷ superarunt, omnibusque navalibus pugnis⁸ Carthaginienses, homines in maritimis rebus exercitatisimos paratissimosque vicerunt, ii nullo in loco jam prædonibus pares esse poteramus: nos [quoque], qui antea non modo Italiam tutam habebamus, sed omnes socios in ultimis oris auctoritate nostri imperii salvos præstare poteramus; (tum, quum insula Delos,⁹ tam procul a nobis in Ægeο mari posita, quo omnes undique cum mercibus atque oneribus commeabant, referta divitiis, parva, sine muro, nihil timebat;¹⁰) iidem non modo provinciis, atque oris Italiæ maritimis, ac portubus nostris, sed

commanded the maritime coasts, extending even to the Euxine and Pamphylian seas.

2. *Carthaginiensium*] The naval power of the Carthaginians, which combined the science of Phœnicia with the prowess of Africa, was for a long time unrivalled in the Mediterranean. Of this the islands which they subjugated and colonized are offered by Appian as a proof.

3. *Rhodiorum*] Strabo, lib. xiv. testifies the excellent discipline and naval prowess of these islanders, particularly in checking the pirates.

4. *In navalibus pugnis*] Particularly the victories of Duilius and Regulus in the first Punic war. and of Livius over the fleet of Antiochus, A. v. 562.

5. *Util.*] By the loss of its revenues.

6. *Dignitatis*] By the capture of its prætors, ambassadors, &c.

7. *Persenque*] We must infer this

defeat, which is not directly mentioned by historians, from the naval triumph of Octavius. Liv. xlv. 42; which being 'sine captivis, sine spoliis,' we may suppose the victory itself not very splendid.

8. *Omnibus navalibus pugnis*] 'Omnibus' here is only morally universal. Thus, in the first Punic war, Adherbal destroyed nearly 100 ships in one engagement; and soon after a storm and Carthalo, the remainder of the fleet, amounting to 120 ships.

9. *Delos*] This island possessed an excellent harbour and situation, lying in the route of those who traded between Asia and Greece, or Italy. Strab. lib. x. As usual, the capital of the island was also so called.—Supr. 12. n. 8.

10. *Tum—nihil timebat*] Being under the protection of Rome. It had, however, been taken by Mithridates.

etiam Appia jam via¹¹ carebamus; et his temporibus non pudebat magistratus populi Romani, in hunc ipsum locum escendere,¹² quum eum vobis majores vestri exuviis nauticis et classium spoliis ornatum reliquissent.

XIX. Bono te animo tum, Q. Hortensi, populus Romanus, et ceteros, qui erant in eadem sententia, dicere existimavit ea, quæ sentiebatis; sed tamen in salute communi idem populus Romanus dolori¹ suo maluit, quam auctoritati vestræ obtemperare. Itaque una lex, unus vir, unus annus, non modo nos illa miseria ac turpitudine liberavit: sed etiam effecit, ut aliquando vere videremur omnibus gentibus ac nationibus terra marique imperare. Quo mihi etiam indignius videtur obtrectatum esse adhuc—Gabinio² dicam, anne Pompeio, an utrique? (id quod est verius:)—ne legaretur A. Gabinius Cn. Pompeio expetenti ac postulanti. Utrum ille, qui postulat legatum ad tantum bellum, quem velit, idoneus non est, qui impetret, quum ceteri ad expilandos socios diripiendasque provincias, quos voluerunt legatos eduxerint: an ipse, cujus lege salus ac dignitas populo Romano atque omnibus gentibus constituta est, expers esse debet gloriæ ejus imperatoris atque ejus exercitus, qui consilio ipsius atque periculo³ est constitutus? An C. Falcidius, Q. Metellus, Q. Cælius Latiniensis, Cn. Lentulus, (quos omnes honoris causa⁴ nomino,) quum tribuni plebis fuissent, anno proximo

11. *Appia via*] Near Terracina, it approached the sea, and therefore was probably infested by the pirates. Mil. 7.

12. *Escendere*] For 'ascendere.' The Rostra, it should be observed, was twofold, sc. 'superior et inferior locus.' Att. ii. 24. Postero autem die, Cæsar qui olim, prætor cum esset, Q. Catulum ex inferiore loco jusserat dicere, Vettium in Rostra produxit; eumque in eo loco constituit quò Bibulo consuli, aspirare non liceret.' This 'inferior locus' Livy (xxxviii. 52.) calls 'sub rostris,' from which private men could harangue; whereas the 'suggestum' that had been adorned with the beaks of the Antiatian ships, called by Cic. 'exuviis nauticis.' Liv. viii. 14., formed the 'locus superior,' and from it the magistrates harangued. Hence 'ascendere.'

De Or. iii. 6. Sive ex inferiore loco, sive ex æquo, sive ex superiore...loquitur. By 'ex æquo' he means the senate.

SECT. XIX.—1. *Dolori*] Ægritudo ex aliqua injuria concepta. Hot.

2. *Indignius—Gabinio*] Supr. 17. n. 6. The return which was made for this uncalled for support of the worthless Gabinus can hardly be regretted. He was consul A. U. 695, the year in which Cic. was banished; for his services in procuring which banishment, he obtained, through Clodius, the province of Syria.

3. *Periculo*] Because if Pompey were unsuccessful, the odium would revert to the person who had promoted his appointment.

4. *Honoris causa*] 'out of respect,' 'with all due respect.' Cic. generally employs this expression in speaking

legati esse potuerunt: in hoc uno Gabinio sunt tam diligentes,⁵ qui in hoc bello, quod lege Gabinia geritur, in hoc imperatore atque exercitu, quem per vos⁵ ipse constituit, etiam præcipuo jure esse deberet? de quo legando spero consules ad senatum relatueros: qui si dubitabunt, aut gravabuntur, ego me profiteor relaturum;⁶ neque me impedit cujusquam, Quirites, inimicum edictum, quo minus, fretus vobis, vestrum jus beneficiumque⁷ defendam: neque, præter intercessionem,⁸ quidquam audiam; de qua, ut arbitror, isti ipsi, qui minantur, etiam atque etiam, quid liceat, considerabunt. Mea quidem sententia, Quirites, unus A. Gabinius, belli maritimi rerumque gestarum Cn. Pompeio socius adscribi-

of living characters, regarding whom there might be some suspicion of insult. Thus Antony uses it in speaking of Brutus. Phil. ii. 12.

5. *Tam diligentes*] In enforcing the law, that tribunes should not be eligible to lieutenantcies the year after their magistracy. What this law was is not recorded; perhaps it came in under the Æbutian and Licinian laws, 'ne ei qui de aliqua curatione ac potestate ferret, collegis, cognatis, affinibus eam potestatem curationemve mandare liceret.'

5. *Per vos*] By your suffrages.

6. *Ego me relaturum*] It would appear that the consuls, Æm. Lepidus and Volcatius Tullus, took part with the senate against Gabinius, whose law was highly displeasing to them. Cic. declares, that if the consuls, whose proper business it was, should not lay the matter before the senate, he would do so himself.—This could be done in two ways: 1. by calling a meeting of the senate for that especial purpose; which, as prætor, he was competent to do; and then 'inimicum edictum,' would be an edict of the consuls, forbidding a minor magistrate, sc. a prætor, to hold the senate; and this is Hottoman's explanation. 2. By taking the opportunity, when the senate was met for some other purpose, of bringing for-

ward the affair, which it was competent for any senator to do. 'Inimicum edictum' will then be the edict of the consul, determining the business in debate, and requiring no senator to introduce any extraneous matter, or what was called 'egredi relationem;' and this explanation Ern. prefers.

7. *Vestrum jus beneficiumque*] As Hottom. explained 'edictum' to be an edict directed against the authority of the prætor to hold the senate, so he makes 'jus' the right or privilege of the prætorship and 'beneficium' the favour conferred by that office, which were 'vestrum' being derived from the people. But Ern. makes 'jus' the right which the tribunes had of a lieutenantcy, and 'beneficium' the honour and rights of the tribuneship itself, which were peculiarly 'vestrum,' the people's. And this seems preferable.

8. *Præter intercessionem*] A compliment to the people, to whose tribunes he was ready to defer. The senate had, no doubt, gained over some of the tribunes, like Trebellius, who should interfere if Cicero's motion were pressed. The Delph. quotes from A. Gell. xiv. 7., that a magistrate to intercede must be of equal (or greater) authority with him who held the senate. This is true, but does

tur; propterea quod alter uni⁹ id bellum suscipiendum vestris suffragiis detulit; alter delatum susceptumque confecit.

XX. Reliquum est, ut de Q. Catuli auctoritate et sententia dicendum esse videatur; qui quum ex vobis quæreret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset,¹ in quo spem essetis habituri; cepit magnum suæ virtutis fructum, ac dignitatis, quum omnes prope una voce, “in [eo] ipso vos spem habituros esse” dixistis. Etenim talis est vir,² ut nulla res tanta sit ac tam difficilis, quam ille non et consilio regere, et integritate tueri, et virtute conficere possit. Sed in hoc ipso ab eo vehementissime dissentio, quod, quo minus certa est hominum ac minus diuturna vita, hoc magis respublica, dum per deos immortales licet, frui debet summi hominis vita atque virtute. At enim³ nihil novi fiat contra exempla atque instituta majorum. Non dico hoc loco, majores nostros semper in pace consuetudini, in bello utilitati⁴ paruisse, semper ad novos casus temporum, novorum consiliorum rationes accommodasse: non dicam, duo bella maxima, Punicum et Hispaniense, ab uno imperatore⁵ esse confecta: duas urbes potentissimas, quæ huic imperio maxime minitabantur, Carthaginem atque Numantiam,⁶ ab eodem Scipione esse deletas: non commemorabo, nuper ita vobis patribusque vestris esse visum, ut in uno C. Mario spes im-

not apply here, where the *veto* of the tribunes only is referred to.

9. *Alter uni*] The second clause ‘alter delatum, &c.’ determines the construction of the first; sc. that ‘uni’ is governed by ‘detulit,’ and ‘suffragiis,’ in the abl. case; else it would agree better with the wording of the law to refer ‘uni’ to ‘suscipiendum.’ ‘Alter—alter,’ Gabinius and Pompey.

SECT. XX.—1. *Si quid factum esset*] Phil. i. 4. ‘Si quid mihi humanitus accidisset,’ and Dem. Phil. i. 5. *ἔτι τι πάθοι*, are all euphemisms, for ‘should (one) die.’ Mil. 36.

2. *Talis est vir*] Off. i. 22.

3. *At enim*] An objection. Vid. Sall. Cat. c. 51, where Cæsar refutes it.

4. *In bello utilitati*] Thus Marius too, in later times, presented two cohorts of Camertians, with the freedom

of the city, on the field of battle, for their gallant resistance to the Cimbrians; and when told that it was illegal, he replied, ‘that the din of arms drowned the voice of the laws.’ Plut. in Mar. 27.

5. *Ab uno imperatore*] P. Scipio Æmilianus, who, being made consul ten years before the regular time, to finish the Punic war, was afterwards, notwithstanding a law which required ten years to intervene between each consulship, appointed to the Numantine war.

6. *Numantiam*] A city of Tarraconensis in Spain, near the source of the Durius, at the foot of the mountains. It was razed by Scipio the younger, after a siege of twenty years, the inhabitants having previously destroyed themselves. Flor. ii. 18. Liv. Epit. 47. 54., &c.

perii poneretur, ut idem cum Jugurtha, idem cum Cimbris,⁷ idem cum Theutonibus bellum administraret: in ipso Cn. Pompeio, in quo novi constitui nihil vult Q. Catulus, quam multa sint nova summa Q. Catuli voluntate constituta, recordamini.

XXI. Quid enim tam novum, quam adolescentulum,¹ privatum, exercitum difficili reipublicæ tempore² conficere?—confecit:—huic præesse?—præfuit:—rem optime ductu suo gerere?—gessit. Quid tam præter consuetudinem, quam homini peradolescenti,³ cujus a senatorio gradu⁴ ætas longe⁵ abesset, imperium atque exercitum dari? Siciliam permitti, atque Africam, bellumque in ea administrandum? Fuit in his provinciis singulari innocentia, gravitate, virtute: bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum, quam equitem Romanum triumphare? At eam quoque rem populus Romanus non modo vidit, sed etiam studio omni visendam et concelebrandam putavit. Quid tam inusitatum, quam ut, quum duo consules⁶ clarissimi fortissimique essent, eques Romanus ad bellum maximum⁷ formidolosissimumque pro consule⁸ mitteretur? Missus est. Quo quidem tempore, quum esset non nemo in senatu, qui diceret, 'Non oportere mitti hominem privatum pro consule;' L. Philippus⁹ dixisse dicitur, 'Non se

7. *Cimbris*] A people of Jutland, and 'Theutones,' of Germany. These nations made an incursion into Gaul, A. V. 640, and conquered and destroyed several Roman armies. Marius, in his absence, was appointed general against them, and in conjunction with Q. Catulus, destroyed the entire army of the barbarians. Cic. seems to separate the wars with these people (idem cum Theutonibus) and so does Livy, Epit. lxxi., differing in this respect from other historians.

SECT. XXI.—1. *Adolescentulum*] Introd. 11. 15.

2. *Difficili reip. tempore*] The Italic war.

3. *Peradolescenti*] For 'adolescentissimus,' which is not in use.

4. *Senatorio gradu*] Thirty-two.

5. *Longe*] Sc. about eight years.

6. *Duo coss.*] D. Junius Brutus and M. Æmilius Lepidus, A. V. 676.

7. *Bellum maximum*] The Sertorian or Spanish.

8. *Pro consule*] The words 'proconsul,' 'promagister,' 'pronepos,' &c. were formed from the regular 'pro consule,' &c.; and the latter form was still in use, with this limitation, that it was never made the subject of the verb. E. g. 'Eques Rom. proconsule missus est' was good Latin; but not 'proconsule decrevit hæc fieri.' This shows too, that the governor of a province was styled proconsul whether he had been consul or not. Vid. Phil. ii. 38, where Brutus, the prætor, is called proconsul of Crete. Hor. Sat. i. 7. 18.

9. *L. Philippus*] Who, with Cras-

illum sua sententia pro consule, sed pro consulibus¹⁰ mittere.' Tanta in eo reipublicæ bene gerendæ spes constituebatur, ut duorum consulum munus unius adolescentis virtuti committeretur. Quid tam singulare, quam ut ex senatusconsulto legibus¹¹ solutus, consul ante fieret, quam ullum alium magistratum¹² per leges capere licuisset? quid tam incredibile, quam ut iterum¹³ eques Romanus ex senatusconsulto triumpharet? quæ in omnibus hominibus nova post hominum memoriam constituta sunt, ea tam multa non sunt, quam hæc, quæ in hoc uno homine vidimus. Atque hæc tot exempla tanta, ac tam nova, profecta sunt in eundem hominem a Q. Catuli atque a ceterorum ejusdem dignitatis implissimorum hominum auctoritate.

XXII. Quare videant, ne sit periniquum et non ferendum, illorum auctoritatem de Cn. Pompeii dignitate a vobis comprobata¹ semper esse; vestrum ab illis de eodem homine iudicium, populique Romani auctoritatem improbari: præsertim quum jam suo jure² populus Romanus in hoc homine suam auctoritatem vel contra omnes, qui dissentiant, possit defendere; propterea quod, iisdem istis reclamantibus,³ vos unum illum ex omnibus delegistis, quem bello prædonum præponeretis. Hoc si vos temere fecistis, et reipublicæ

sus and Antony, formed the triumph of early orators. De Or. iii. 1.

10. *Pro consulibus*] Metellus Pius was then conducting the Sertorian war, with better intentions than success. His regular successor should have been a consul, and sometimes two were sent. Philip had so high an opinion of Pompey's abilities that he thought him worth the two; accordingly he was sent as an assistant to Metellus, who was continued in the command.

11. *Legibus*] i.e. Lege, sc. Villia vel Annali. Mil. 9. n. on 'suum annum.'

12. *Ullum alium magistratum*] Sc. curule magistracy; for being thirty-five years of age, he was eligible to the quæstorship. Vid. c. 1. n. 29. The legal age for the curule ædile was thirty-seven. Some refer 'antequam,' not to the age of Pompey, but the order of the offices, of which the quæ-

torship was first, and had been omitted by Pompey.

13. *Iterum*] On the conclusion of the Sertorian and servile wars.

SECT. XXII.—1. *A vobis comprobata*] Either by yourselves, or by your tribunes. For the latter used to sit on benches at the door of the senate, and examine the decrees of the senate as they passed. Those approved were subscribed T. i. e. Tribuni; those rejected, V. i. e. veto. Val. Max. ii. 1.

2. *Jam suo jure*] i.e. 'nemine impediante,' 'cum nemo prohibere posset.' *Jam* seems to intimate that since the decision of the people, in the case of the Gabinian law, against the wishes of the senate, had proved so proper, *a fortiori* they might exert their full authority on this occasion.

3. *Istis reclamantibus*] Hortensius, Catulus, and their adherents.

parum consuluistis; recte isti studia vestra⁴ suis consiliis⁵ regere conantur: sin autem vos plus tum in republica vidistis; vos,⁶ his repugnantibus, per vosmet ipsos dignitatem huic imperio, salutem orbi terrarum attulistis: aliquando isti principes, et sibi, et ceteris, populi Romani universi auctoritati parendum esse fateantur. Atque in hoc bello Asiatico et regio, non solum militaris illa virtus, quæ est in Cn. Pompeio singularis, sed aliæ quoque virtutes animi multæ et magnæ requiruntur. Difficile est⁷ in Asia, Cilicia, Syria, regnisque interiorum⁸ nationum ita versari vestrum imperatorem, ut nihil aliud, quam de hoste ac de laude, cogitet. Deinde etiam si qui sunt pudore ac temperantia moderatiores, tamen eos esse tales, propter multitudinem cupidorum hominum nemo arbitratur. Difficile est dictu, Quirites, quanto in odio simus apud exterarum nationes, propter eorum, quos ad eas per hos annos cum imperio misimus, injurias ac libidines. Quod enim fanum putatis in illis terris nostris magistratibus religiosum, quam civitatem sanctam, quam domum satis clausam ac munitam fuisse? urbes jam⁹ locupletes ac copiosæ requiruntur,¹⁰ quibus causa belli propter diripiendi cupiditatem inferatur. Libenter hæc coram cum Q. Catulo et Q. Hortensio disputarem, summis et clarissimis viris; noverunt¹¹ enim sociorum vulnera: vident eorum calamitates: querimonias audiunt. Pro sociis vos contra hostes exercitum mittere putatis, an hostium simulatione, contra socios atque amicos? quæ civitas est in Asia, quæ non modo imperatoris, aut legati, sed unius tribuni militum¹² animos ac spiritus¹³ capere possit?

XXIII. Quare, etiam si quem habetis, qui, collatis signis,

4. *Studia vestra*] Your views and wishes.

5. *Consiliis*] Just as Cic. was doing now; for the senators had no control over the determinations of the people, but by *advice*.

6. *Vos*] i. e. *sin vos*; if you, &c.

7. *Difficile est*] Owing to the wealth and remote situation of those countries.

8. *Interiorum*] Remote from the sea.

9. *Jam*] Even.

10. *Requiruntur*] i. e. 'diligenter

inquiruntur.' Sall. Cat. 40. Legatos Allobrogum requirat.

11. *Noverunt enim*] Because they must have heard the complaints which were daily brought before the senate by the provincials.

12. *Unus tribuni militum*] The number of the 'tribuni' in a legion varied according to the number of thousands of which it was composed, which being originally three, (tres,) gave rise to the name. At this time there were six.

13. *Animos ac spiritus*] Avarice.

exercitus regios superare posse videatur: tamen, nisi erit idem, qui se a pecuniis sociorum, qui ab eorum conjugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab auro gazaque¹ regia, manus, oculos, animum cohibere possit; non erit idoneus qui ad bellum Asiaticum regiumque mittatur. Ecquam putatis civitatem pacatam fuisse, quæ locuples sit? ecquam esse locupletem, quæ istis pacata esse videatur?² Ora maritima, Quirites, Cn. Pompeium non solum propter rei militaris gloriam, sed etiam propter animi continentiam requisivit. Videbat enim populum Romanum³ non locupletari quotannis pecunia publica, præter⁴ paucos; neque nos quidquam aliud assequi classium nomine, nisi ut, detrimentis accipiendis, majore affici turpitudine videremur. Nunc, qua cupiditate homines in provincias, quibus jacturis,⁵ quibus conditionibus proficiscantur, ignorant videlicet isti,⁶ qui ad unum deferenda esse omnia non arbitrantur? Quasi vero Cn. Pompeium non quum suis virtutibus, tum etiam alienis vitiis magnum esse videamus. Quare nolite dubitare, quin huic uni credatis omnia, qui inter annos tot unus inventus sit, quem socii in urbes suas cum exercitu venisse gaudeant. Quod si auctoritatibus hanc causam, Quirites, confirmandam putatis: est vobis auctor, vir bel-

SECT. XXIII.—1. *Gaza*] A Persian word, signifying 'royal treasure.' Gaza, a city of Palestine, was so called, according to Mela, because Cambyzes, when he was invading Ægypt, collected thither his royal treasures. Here it may allude to the treasures of Mithridates and Tigranes.

2. *Ecquam—esse videatur*] He makes two suppositions and deduces two consequences: 1. Admitting a state to be possessed of wealth, has it in any instance been reduced to a state of tranquillity (*pacatam*)? No, but goaded into rebellion. 2. If we suppose the state to be, in their opinion, tranquillized (*pacata*), do you conceive it to be wealthy? No; it owes its tranquillity to its having nothing to tempt rapacity. In short, in the eye of the Roman governors, wealth was the worst species of dis-

loyalty, and the only security from oppression lay in poverty.

3. *Populum Rom.*] *Al. populus.* With the reading in the text 'videbat' refers to 'ora maritima,' yet it is not clear why it felt so strongly about the abuses of the Roman government. If we read 'populus' there is no apparent connexion with what precedes.

4. *Præter*] i. e. 'nisi'—ἐκτός, 'save.' Cæs. B. G. iv. 1. Neque vestitus, præter pelles, habeant. So in English, *besides* is used for *except*.

5. *Jacturis*] 1. The throwing of goods overboard in a storm. 2. Any loss whatever. 3. Expense or largess. Cæs. B. G. vi. 11. 'Aliquem magnis jacturis et pollicitationibus ad se perducere.'

6. *Ignorant isti*] Sc. Hortensius, &c. ironically; for he had said before, 'noverunt sociorum vulnera.'

lorum omnium maximarumque rerum peritissimus, P. Servilius:⁷ cujus tantæ res gestæ terra marique⁸ exstiterunt, ut, quum de bello deliberetis, auctor vobis gravior esse nemo debeat: est C. Curio,⁹ summis vestris beneficiis, maximisque rebus gestis, summo ingenio et prudentia præditus: est Cn. Lentulus,¹⁰ in quo omnes, pro amplissimis vestris honoribus, summum consilium, summam gravitatem esse cognovistis: est C. Cassius,¹¹ integritate, virtute, constantia singulari. Quare videte, num horum auctoritatibus illorum orationi, qui dissentiunt, respondere posse videamur.

XXIV. Quæ quum ita sint, C. Manili, primum istam tuam et legem, et voluntatem, et sententiam laudo, vehementissimeque comprobo: deinde te hortor, ut, auctore populo Romano, maneas in sententia, neve cujusquam vim aut minas pertimescas. Primum in te satis esse animi perseverantiæque arbitror: deinde quum tantam multitudinem cum tanto studio adesse videamus, quantam nunc iterum¹ in eodem homine præficiendo videmus: quid est, quod aut de re, aut de perficiendi facultate dubitemus? Ego autem, quidquid in me est studii, consilii, laboris, ingenii, quidquid hoc beneficio populi Romani, atque hac potestate prætoris, quidquid auctoritate, fide, constantia possum; id omne ad hanc rem conficiendam, tibi et populo Romano polliceor ac defero. Testorque omnes deos, et eos maxime, qui huic loco temploque² præsident, qui omnium mentes eorum, qui ad rempublicam adeunt, maxime perspiciunt, me hoc neque rogatu facere cujusquam, neque quo Cn. Pompeii gratiam mihi per hanc causam conciliari putem, neque quo mihi ex cujusquam amplitudine, aut præsidia periculis, aut adjumenta honoribus quæram: propterea quod pericula facile, ut hominem præstare oportet,³ innocentia tecti repellemus: honores autem neque ab uno, neque ex hoc loco, sed eadem

7. P. Servilius] Sc. Isauricus, from his conquest of Isaurum in Cilicia, consul A. V. 674, the year of Sylla's resignation.

8. Marique] He had been successful in several engagements with the pirates.

9. C. Scribonius Curio] Consul, A. V. 677. He was father of Curio, the friend of Antony, who fell in Africa.

10. Cn. Lentulus] Sc. Clodia-

nus, consul A. V. 681.

11. C. Cassius] Sc. Varus, consul A. V. 680. Div. xv. 14.

SECT. XXIV.—1. Nunc iterum] The first was in passing the Gabinian law. Al. non.

2. Temploq.] So called because consecrated by auguries. Rostraq. id templum appellatum. Liv. viii. 14.

3. Præstare oportet] Ought to do; sc. 'pericula repellere.'

nostra illa laboriosissima ratione vitæ, si vestra voluntas feret, consequemur. Quamobrem, quidquid in hac causa mihi susceptum est, Quirites, id omne me reipublicæ causa suscepisse confirmo: tantumque abest, ut aliquam bonam gratiam mihi quæsisse videar, ut multas etiam similitudines partim obscuras,⁴ partim apertas intelligam, mihi non necessarias,⁵ vobis non inutiles,⁶ suscepisse. Sed ego me hoc honore præditum, tantis vestris beneficiis affectum, statui, Quirites, vestram voluntatem,⁷ et reipublicæ dignitatem, et salutem provinciarum atque sociorum, meis omnibus commodis et rationibus præferre oportere.

4. *Partim obscuras*] Alluding to the covert opposition of the partisans of Lucullus.

5. *Mihi non necessarias*] A 'littes,' for 'very injurious;' sc. by alienating Lucullus and his party.

6. *Non inutiles*] Because public

good often accrues from the disputes of political opponents, by reason of the watch which they keep on each other's actions.

7. *Vestram voluntatem*] 'Your inclination;' which was wholly in favour of Pompey.

INTRODUCTION TO THE ORATION

FOR THE

POET ARCHIAS.

1. WE know little more of Archias than what is contained in the oration of Cicero, pronounced in his defence. This informs us that he was a native of Antioch, and being early distinguished for poetical talent, came to Rome in the consulship of Marius and Catulus, A. U. 651. His first patrons in that city were the Luculli, whose gentile name, Licinius, Archias seems to have adopted, as was usually done by foreigners on receiving the freedom of the city.* About ten years after his arrival at Rome, he accompanied M. Lucullus to Sicily, and this brought him to Heraclea, a city of Magna Græcia, of which he was made a citizen.

2. During his absence from Italy, the famous Italic, or Social war had raged, which began A. U. 662, on the murder of the younger Drusus, (Mil. 6.,) the celebrated tribune who had espoused the interests of the Italic states. It is well known that the senate was obliged to concede, in effect, the demands of the allies. For, by the Julian law, citizenship was conferred on such of the Latin and Italian states as had maintained their allegiance, or chose to lay down their arms; and, in the following year, 664, the law of Carbo and Silvanus was passed, by which all foreigners who were citizens of federate states were entitled to citizenship at Rome, provided they had, at that time, a residence in Italy, and registered their names with the Roman prætor within sixty days from the promulgation of the law. This law, of course, included Archias, who was lately enrolled in Heraclea, and had, for a long time, resided at Rome. Accordingly he registered his name with Metellus Pius, his intimate friend, within the appointed time, and thereby became a Roman citizen.

* Ernesti, however, says 'civitate donatus a Crasso,' and we find L. Crassus enumerated among his patrons, c. 3., 'a L. Crasso colebatur.' But as the Luculli, as well as the Crassi, belonged to the 'gens Licinia,' it seems more probable that Archias was so denominated from his first and constant patrons, than from Crassus.

3. In the following year he accompanied his patron, L. Lucullus, to Asia; and after following his fortunes for upwards of twenty years, returned with him to Rome, A. U. 688, on his recall from the Mithridatic war. In this very year, C. Papius revived an old law of Petronius 'that all foreigners should be expelled the city, who not being citizens, conducted themselves as such.' About four years after, one Gracchus, or Grattius, arraigned Archias under this law, and required him, in his old age, (for he was now in his 60th year,) to prove his right of citizenship. Cicero, his old pupil, appeared in his defence. It is doubtful who was the presiding prætor, because it is not ascertained whether the action was pleaded A. U. 691 or 692. If in the former, then Q. Cicero, the brother of the orator, is the most probable person; if in the latter, C. Octavius, the father of the Emperor Augustus.

4. This cause is styled by rhetoricians 'judicial,' being pleaded before the prætor, but it is also 'demonstrative,' inasmuch as it embraces the praises of Archias and learning. The exordium is simple, being founded on the gratitude which a pupil owes his instructor in polite literature, c. 1. 3. This is followed by a brief review of the life of Archias, wherein Cicero gives the history of his enfranchisement, and confutes the arguments by which it was sought to be invalidated, c. 3. 6. The remainder of the oration is occupied in the praises of learning and poetry, and in proving the claim which a man of learning and poetical talent, like Archias, had on the favour of the Roman people, inasmuch as on him depended the duration of their fame. The peroration is merely a summary of the preceding arguments.

M. TULLII CICERONIS

PRO

A. LICINIO ARCHIA POETA

ORATIO.

I. Si quid¹, est in me ingenii, iudices, quod sentio quam sit exiguum: aut si qua exercitatio dicendi, in qua me non infitior mediocriter esse² versatum; aut si hujusce rei³ ratio aliqua, ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor ætatis meæ tempus abhorruisse: earum rerum omnium vel in primis⁴ hic A. Licinius⁵ fructum

SECT. I.—1. *Si quid, &c.*] Cic. here enumerates the three grand requisites for forming an orator; talent, experience in speaking, and theoretical skill. The more natural arrangement would be, talent—theory—practice; and this he adopts, inf. ‘*facultas ingenii—dicendi ratio—disciplina*. These agree nearly with Aristotle’s requisites for forming the finished scholar, φύσις, μάθησις, ἄσκησις.

2. *In qua—esse*] It has been remarked, by Hottom., Muret., and others, that Cic. here falls into a hexameter; and Muret. says, ‘*Nonne videtur poetam poetice velle defendere?*’ But as harmonious prose differs from verse, not in rejecting rhythm, but the regular recurrence of the same rhythm; and as there is hardly a sentence in Cic. wherein many of the or-

dinary poetic rhythms may not be detected, it is surely too much to attribute this instance to art or intention.

3. *Hujusce rei*] Sc. dicendi, Manil. c. i. n. 32.

4. *Vel in primis*] Because he had many other early guides.

5. *A. Licinius*] Græv., supported by two MSS., would subjoin *Archias*, but, perhaps in beginning to prove his client a Roman, the omission of his Asiatic name is intentional. With regard to the prænomen *Aulus*, it is not clear whence it was derived to *Archias*, as the *Luculli* were *Marc.* and *Luc.*, and the prænomen, in which the patron prided himself, was sure to be adopted by the client. — *gaudent prænomine molles Auriculæ.*—*Hor.* So of freedmen we meet *Mar-*

a me repetere prope suo jure debet. Nam quoad longissime potest mens⁶ mea respicere spatium præteriti temporis, et pueritiæ memoriā⁷ recordari ultimam, inde usque repetens, hunc video mihi principem⁸ et ad suscipiendam,⁹ et ad ingrediendam rationem horum studiorum existitisse.¹⁰ Quod si hæc vox, hujus hortatu¹¹ præceptisque conformata,¹² nonnullis aliquando salutis fuit: a quo id accepimus, quo ceteris opitulari et alios servare possemus, huic profecto ipsi quantum est¹³ situm in nobis, et opem, et salutem ferre debemus. Ac, ne quis a nobis hoc ita dici forte miretur, quod alia quædam¹⁴ in hoc¹⁵ facultas sit ingenii, neque hæc dicendi ratio aut disciplina,¹⁶ ne nos quidem huic cuncti¹⁷ studio penitus unquam dediti fuimus. Etenim omnes artes,¹⁸ quæ ad hu-

cus Tullius Tiro, *Luc. Corn. Chrysogonus*. Manut. conjectures that by an adoption which took place, of Marcus into the family of Varo, his prænomen, Aulus, might have been changed, but not until it had been first assumed by Archias.

6. *Mens*] Animus quo volumus; mens qua meminimus. *Sylv.*

7. *Memoriam*] Tempus quod memoria amplectimur, *Sch. V.E.*; and 'ultimam,' 'primam, remotissimam.'

8. *Principem*] Auctorem, hortatorem, ducem. *Hott.* My guide, philosopher, and friend. *Pope.*

9. *Ad suscipiend., &c.*] The metaphor appears to be borrowed from a traveller who takes up his package and then enters on his journey. 'Ratio' here is nearly allied to 'via.' Hence 'ingredior' is often joined with it. *Epist. ii.* 'Ingredior ad explicandam rationem sententiæ meæ.'

10. *Exititisse*] Honestius, illustrius, significantius verbum quam fuisse. *C. 10.* Nisi Ilias illa exitisset.—*Passer.*

11. *Hortatu*] *Sc.* 'ad suscipiendam;' and 'præceptis,' 'ad ingrediendam.' *Ern.*

12. *Conformata*] The formation or toning of the voice was an important part in the education of an orator at Rome. *Vid. de Or. iii. 60.* *Ad He-*

ren. iii. 15, he calls it 'figura vocis,' and adds 'ea dividitur in magnitudinem, firmitudinem, et mollitudinem.' According to *Plut.* Cicero's voice was weak and harsh; and after pleading for *Sext. Roscius*, he travelled into Greece 'to form it.' *Cic.*, however, attributes the whole to Archias; and this is no more than *Horace* allows the poet: *Os tenerum pueri balbumque poeta figurat. Epist. ii. l. 126.*

13. *Quantum est*] i. e. 'Pro virili parte.'

14. *Alia quædam*] For 'poeta nascitur; orator fit.'

15. *In hoc*] Archias.

16. *Facultas....disciplina*] *Supr. n. 2.*

17. *Cuncti*] *Al. vincti* and *uni*, which latter *Ern.* adopts without authority. But the difficulty of conceiving how 'cuncti' can be applied to an individual is not greater than to conceive how the audience understood by *nos*, *Cic.* himself. *Manut.* explains it 'toti penitus dediti.' *Fest.* says, 'Cuncti,' qu. conjuncti, significat omnes sed congregati.

18. *Omnes artes*] *Ars oratoria, poetica, historia...* *Manut.* But there is no reason to limit them to these few, as *Gell. xiii. 17.* shows that the Latins used 'humanitas' to import the *παιδεία* of the Greeks; and therefore

manitatem¹⁹ pertinent, habent quoddam commune vinculum,² et quasi cognatione quadam inter se continentur.

11. Sed ne cui vestrum mirum esse videatur, me in quaestione legitima,¹ et in iudicio publico,² quum res agatur apud prætorem populi Romani, lectissimum³ virum, et apud severissimos⁴ iudices, tanto conventu⁵ hominum ac frequentia, hoc uti genere dicendi, quod non modo a consuetudine iudiciorum, verum etiam⁶ a forensi sermone⁷ abhorreat: quæso a vobis, ut in hac causa mihi detis hanc veniam, accommoda-

the arts which pertain to it must embrace the whole circle of the sciences. This the Greeks called ἐγκυκλο-
παιδεία. Quint. i. 10. The arguments of Cic., however, show that poetry and history were particularly in his mind.

19. *Ad humanitatem*] 'Humanitas,' from 'homo,' imports: 1. The instinctive concern which human beings feel for each other as contradistinguished from the brute creation. 2. Humanity, kindness, &c. 3. Whatever cherishes those feelings and keeps our species most distinct from brutes. Hence learning, polite literature, &c. Ovid. Pont. ii. 9. 47.

'Scilicet ingenuas didicisse fideliter artes

Emollit mores nec sinit esse ferus.'

20. *Quoddam vinculum*] De Or. iii. 6. 'est etiam illa Platonis vera.... vox; omnem doctrinam harum ingenuarum et humanarum artium uno quodam societatis vinculo contineri.'

SECT. 11.—I. *Quæstione legitima*] 'Quæ sub legibus cadit et legibus dirimitur;' a question of law, merely.

2. *Judicio publico*] Cæc. 2. 'Omnia iudicia aut distrahendarum controversiarum, aut puniendorum malefactorum causa reperta sunt;' i. e. were private or public; or, as we say, civil or criminal. Under the latter was ranked any question 'de jure civitatis,' the least violation of which was considered a 'maleficium.' And as the 'jus civitatis' belonged to the 'jus publicum,' Balb. 28, he here says 'judi-

cio publico,' which in its very nature precluded the latitude of expression which might, perhaps, be pardoned in a panegyric on learning.

3. *Lectissimum*] (As we say) 'a picked man;' a most superior lawyer; who would think it *strange* if Cic. supplied him with declamation instead of legal pleading.

4. *Severissimos*] 'Severus,' applied to judges, generally means 'impartial.' Manil. 13. Here, perhaps, 'grave,' 'serious;' whom an advocate would not be likely to trouble with any disquisition irrelevant to the case in point. About ten years before this trial took place, Cotta had opened the judicial office to the three orders of the state, (Phil. i. 8,) the senators, knights, and 'tribuni ærarii,' out of whom these judges were selected. The senators were usually one more than the equites, who again exceeded the 'tribuni ærarii' by the same number; but a vote of each was of equal value. Mil. c. 1. n. 4.

5. *Tanto conventu*] i. e. Corona eorum qui circum iudicum subsellia stabant. Hott. Mil. 1.

6. *Non modo—verum etiam*] A pleader might vary a little from the routine of a trial, but to forget the very phraseology of the bar was very unusual—was *strange*.

7. *Forensi sermone*] Cic., de Off. i. 1., contrasts 'illud forense dicendi, et hoc quietum disputandi, genus.'—Here he means that many phrases belonging to the schools, and to litera-

tam huic reo, vobis, quemadmodum spero, non molestam : ut me pro summo poëta atque eruditissimo homine dicentem, hoc concursu⁸ hominum literatissimorum, hac vestra humanitate,⁹ hoc denique prætor¹⁰ exercente iudicium, patiamini de studiis humanitatis ac literarum paullo loqui liberius, et in ejusmodi persona,¹¹ quæ, propter otium¹² ac studium, minime in judiciis periculisque tractata¹³ est, uti prope novo quodam et inusitato genere dicendi. Quod si mihi a vobis tribui concedique sentiam, perficiam¹⁴ profecto, ut hunc A. Licinium non modo non segregandum, quum sit civis, a numero civium, verum etiam, si non esset, putetis adsciscendum¹⁵ fuisse.

III. Nam ut primum ex pueris excessit¹ Archias, atque ab his artibus, quibus ætas puerilis ad humanitatem informari² solet, se ad scribendi² studium contulit : primum Antiochiæ³

ture in general, which are new to the forum, will be found in this oration.

8. *Hoc concursu*] 'Hoc' is here δεικτικῶς and emphatic, 'such—as this;' for the high fame both of the defendant and the advocate would naturally attract the *literati* of Rome to hear the trial.

9. *Vestra humanitate*] *Literarum* illarum scientia de quibus mihi sermo futurus est. *Manut.*

10. *Hoc denique prætor*] *Hoc* as above. This (fourth) closes his reasons for expecting an indulgent hearing; drawn from the character of the defendant, of the audience, the judges, and the prætor.

11. *Persona*] 'Per' and 'sono : ' 1. A mask. 2. A feigned character. 3. Any character. 4. Whatever upholds a character; a person; an individual.

12. *Otium*] Freedom from business; 'studium,' a literary pursuit. Elsewhere he says, 'otium literatum;' literary ease.

13. *Tractata*] 'Tractare personam,' signifying in *Rosc. Com.* 7. 'to represent a character,' *Passer.* refers 'tractata' to the orator; as if he said, 'and in a character of this description, which I have rarely performed, &c.' So *Hor.* 'partes mi-

num tractare secundas.' But to this is opposed 'propter otium ac studium,' which evidently belongs to Archias. Transl. therefore, 'not at all versed or experienced,' &c.

14. *Perficiam*] Sc. by putting you in possession of the merits of Archias.

15. *Segregandum—adsciscendum*] These words are immediately opposed. Of 'scisco' *Manut.* says, 'migravit a foro ad omnes res.'

SECT. III.—1. *Ex pueris excessit*] *Ter. And.* 'Nam is postquam ex ephebis excessit.' Archias was then about fifteen.

2. *Informari*] *Rough-hew.* 'Non absolutam formam sed inchoatam significat.' *Manut.* So *Shakspeare* :—'Tis the Divinity that shapes our ends, Rough-hew them as we will.'

2. *Scribendi*] 'Scribere' is applied, κατ' ἐξοχήν, to poetical composition. *Ter.* 'Poeta cum primum animum ad scribendum appulit.'—*Hor.* 'Scriberis Vario fortis et hostium Victor, &c.' *Passer.* 'Scribendi rectè sapere est et principium et fons.' *Hor.*

3. *Antiochia*] *Steph.* says that there were twelve cities of this name. This was built on the Orontes, in Syria. It was afterwards the site of a

(nam ibi natus est loco nobili :)⁴ celebri⁵ quondam urbe et copiosa, atque eruditissimis hominibus liberalissimisque studiis affluenti, celeriter antecellere omnibus ingenii gloria⁶ contigit. Post in ceteris Asiæ partibus cunctæque Græciæ, sic ejus adventus celebrabantur, ut famam ingenii⁷ expectatio hominis,⁸ expectationem ipsius adventus admiratioque superaret. Erat Italia⁹ tunc¹⁰ plena Græcarum¹¹ artium ac disciplinarum, studiaque hæc et in Latio vehementius tum colebantur, quam nunc iisdem in oppidis, et hic Romæ, propter tranquillitatem reipublicæ, non negligebantur. Itaque hunc et Tarentini,¹² et Rhegini, et Neapolitani, civitate ceterisque præmiis donarunt:¹³ et omnes, qui aliquid de ingeniis poterant judicare, cognitione atque hos-

Christian Church, and in it the followers of our Saviour were first called Christians. Its modern name is Antikè.

4. *Loco nobili*] Of a distinguished family. Sall. Cat. 24. 'natus haud obscuro loco.'

5. *Celebri*] populous. Manil. c. 12. n. 11.

6. *Ingenii gloria*] Scriptis parta. Manut.

7. *Famam ingenii*] An ascending series. The fame of his talents was great; but, as usual, was exceeded by the curiosity of seeing his personal appearance (hominis); and this again, his actual (ipsius) arrival, and the admiration which succeeded, threw completely into the shade.

8. *Expectatio hominis*] Sc. 'visendi,' which is sometimes expressed. Nep. Alc. 6. 'Tanta fuit expectatio visendi Alcibiadis.'

9. *Erat Italia*] Cicero states particularly, the progress of Archias. From Asia he came to Greece; thence to Italy; from Italy to Latium; and thence to Rome. It is observable that he bestows on Italy, i. e. on Magna Græcia, greater praise than on Latium, because the Greek schools of philosophy first flourished there; and as they were extended to the Latian towns before they reached the city; in the former, he says, 'colebantur,' in the latter, 'non negligebantur.'

And even this slight attention, he hints, was owing to the tranquillity which the state enjoyed before the Social war. It is of the period succeeding the Punic wars that Hor. says, 'Græcia capta ferum victorem cepit et artes Intulit agresti Latio.'

10. *Tunc*] A. U. 651.

11. *Græcarum artium*] Æn. vi. 847, 'Excudent alii, &c.'

12. *Tarentini, &c.*] Tarentum, a city of Calabria, on a gulf of that name, was founded by a colony of Spartans, under Phalantus, hence called Phalantéum. Rhegium, now Rheggio, was founded by a colony from Chalcis, in Eubœa, near where Sicily was said to have been disjoined from the Continent by an earthquake. Æn. iii. 414. Strab. vi. 258, derives it ἀρχή. Neapolis, i. e. Newtown, anciently Parthenope, was founded by Cumæans, from Chalcis, in Eubœa. It is situate on the Sinus Puteolanus, one of the most beautiful bays in Europe. These were, at this time, federate states of Italy; after the social war they became Roman citizens. Hence Verr. vi. 60. 'Quid arbitramini Rheginos, qui jam cives Rom. sunt, merere velle, &c.' Inf. c. 5, 'in eorum municipiorum, &c.'

13. *Civitate—donarunt*] A man could be a freeman of several corporate towns at one and the same time;

pitio dignum existimarunt. Hac tanta celebritate famæ quum esset jam absentibus notus, Romam venit, Mario consule et Catulo.¹⁴ Nactus est¹⁵ primum consules eos, quorum alter¹⁶ res ad scribendum maximas, alter¹⁷ quum res gestas, tum etiam studium atque aures¹⁸ adhibere posset. Statim Luculli,¹⁹ quum prætextatus²⁰ etiam tum Archias esset, eum domum suam receperunt. Sed [etiam] hoc non solum ingenii ac literarum, verum etiam naturæ atque virtutis, ut domus, quæ hujus adolescentiæ prima fuerit, eadem esset familiarissima senectuti.²¹ Erat temporibus illis jucundus Q. Metello,²² illi Numidico, et ejus Pio filio.²³ Audiebatur²⁴ a

not so of Rome. Cic. pro Cæc. 34 'Cum ex nostro jure nemo duarum civitatum esse possit, tum amittitur hæc civitas, cum hic qui profugit receptus est in aliam civitatem.' Hott.

14. *Mario et Catulo*] The fourth cons. of Marius, A. V. 651, to which he was appointed with a view to his opposing the Cimbri.

15. *Nactus est*] Quod fortuna fuit. Manut. 'He happened to find.' Mil.

12. 'si nactus esses.'

16. *Alter*] Marius, whose principal achievement hitherto was the capture of Jugurtha. Soon after, indeed, he triumphed over the Cimbri, Teutones, and Ambrones.

17. *Alter*] Catulus. He shared the campaign with Marius; and, if we believe Plutarch, contributed much to the final defeat of the enemy. All the darts by which the Cimbri had fallen were found inscribed with the name of Catulus. Posterity, however, assign Catulus the second place in the rank of honour. 'Nobilis ornatur lauro collega secunda.' Juv. viii. 253.

18. *Studium—ares*] Qu. 'studiosæ aures,' a Hendyad.; 'attentive ears.' Ern. refers 'studium' to the verses of Catulus, and 'ares' to the recitations of others, e. g. Archias.—Perhaps they both refer to Archias, 'studium' importing that Catul. read his compositions; 'ares,' that he listened to his recitations: for Catulus

understood Greek, which Marius did not. De Or. ii. 7. 'Catulus...cui Græci ipsi solent suæ linguæ subtilitatem elegantiamque concedere.' But the *Hend.* affords the simplest explanation.

19. *Luculli*] Mar. and Luc. The former, usually called M. Terentius Varro, triumphed over Macedonia, A. V. 682, ten years before this trial; the latter is fully noticed in the Manil. law.

20. *Prætextatus*] 'Wearing the robe of youth,' i. e. not eighteen; so that his talents and attainments must have been extraordinary to attract, at that age, the notice of the most accomplished men at Rome. Manil. 8.

21. *Senectuti*] He was now about sixty years of age.

22. *Q. Metello*] The hero of Salust. He was banished two years after this time, because he refused to swear to the observance of a law of Saturninus, by which the lands of Gaul, seized on by the Cimbri, and then evacuated, should be divided among the people.

23. *Pio filio*] So called from his pious exertions to procure his father's recall; particularly his entreating, on his knees, one P. Furius, a tribune, (whom his father, in his censorship, had degraded,) to withdraw his negative from the decree for that purpose.

24. *Audiebatur*] 'Semper ego au-

M. Æmilio :²⁵ vivebat cum²⁶ Q. Catulo, et patre, et filio :²⁷ a L. Crasso²⁸ colebatur : Lucullos vero, et Drusum,²⁹ et Octavios,³⁰ et Catonem,³¹ et totam Hortensiorum³² domum, devinctam consuetudine quum teneret, afficiebatur summo honore : quod cum non solum colebant, qui aliquid percipere atque audire studebant, verum etiam, si qui forte³³ simulabant.

IV. Interim¹ satis longo² intervallo, quum esset cum L. Lucullo in Siciliam³ profectus, et quum ex ea provincia cum eodem Lucullo decederet, venit Heracleam.⁴ Quæ quum esset civitas æquissimo⁵ jure ac fœdere, adscribi se in eam⁶ ci-

ditor tantum ? Juv. i. 1.

25. *M. Æmilio*] sc. Scauro. He was then 'princeps senatus,' and was father of the Scaurus whom Cic. defends.

26. *Vivebat cum*] Ejus convictor erat. *Passer*.

27. *Patre et filio*] The former is noticed above. The latter was consul, A. U. 675, after Sylla's death.—He resisted the Manil. law, and pronounced Cic. 'pater patriæ.' Manil. 20.

28. *Crassus*] A celebrated orator, who bears a conspicuous part in the *de Orat.* See, in particular, iii. 1.

29. *Drusum*] Sc. the younger. He, it is said, gave rise to the social war, by holding out hopes to the allies, of procuring for them the freedom of Rome. Mil. 7. he is called 'Senatus propugnator ac pæne patronus.' His great opponent was the consul Philip- pus, at whose instigation he is supposed to have been assassinated in the gallery of his own house. He was a maternal ancestor of the emperor Tiberius, which may account for the character which Vell. Pater. (who wrote in his reign) gives of him.

30. *Octavios*] There were three of this name, who all bore the consulship; Cn., colleague of Cinna, in 666, who was killed in his magistracy; Cn., the colleague of Curio, in 677; and Lucius, of Cotta, in 678, during the Sertorian war.

31. *Catonem*] Probably M. the father of Cato Uticensis.

32. *Hortensiorum*] Manil. 17.

33. *Si quis forte*] It was greatly to the praise of Archias that he made the study of the *Belles Lettres* fashionable. The very pretenders to taste and learning attended his recitations.

SECT. IV.—1. *Interim*] Postea. *Sylv.*

2. *Satis longo*] About ten years. *Vid. Introd.* 1.

3. *Siciliam*] Al. *Ciliciam*. Probably on private business, as it does not appear that he was at this time employed in the service of the republic.

4. *Heracleam*] A city of Lucania, situate on the Tarentine Gulf, founded by a colony from Tarentum. Liv. viii. 24. Strab. vi. 264. Diod. xii. 36. It was there that the deputies of the states of Magna Græcia, assembled to consult about their common interests. Strab. vi. 280.

5. *Æquissimo*] The federate states differed in their privileges, according to the circumstances under which they were at first received into treaty. Heraclea had been admitted in the time of Pyrrhus, when it adhered to the Romans. Balb. 22. Hence its rights and privileges were—æquissimo jure—most favourable; i. e. more so than those of the Tarentines, &c.

6. *Adscribi in eam, &c.*] Cic. writes 'ascribere civitati, in civitatem, or, in

vitatem voluit: idque, quum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracleensibus impetravit. Data est civitas⁷ Silvani lege et Carbonis, ‘Si qui fœderatis civitatibus adscripti fuissent: si tum, quum lex ferebatur, in Italia domicilium habuissent:’ et, ‘si sexaginta diebus⁸ apud prætorem essent professi.’ Quum hic domicilium Romæ multos jam annos⁹ haberet, professus est apud prætorem, Q. Metellum,¹⁰ familiarissimum suum. Si nihil aliud¹¹ nisi de civitate¹² ac lege dicimus, nihil dico amplius: causa dicta¹³ est. Quid enim horum¹⁴ infirmari, Grati,¹⁵ potest? Heracleæne esse tum adscriptum negabis? Adest vir summa auctoritate, et religione,¹⁶ et fide L. Lucullus, qui se non opinari, sed scire, non audivisse, sed vidisse,¹⁷ non interfuisse, sed egisse dicit. Adsunt Heracleenses legati, nobilissimi homines: hujus judicii causa, cum mandatis, et cum publico testimonio venerunt: qui hunc adscriptum Heracleensem¹⁸ dicunt. Hic tu tabulas desideras Heracleensium publicas,

civitate;’ to be enrolled a citizen.

7. *Data est civitas*] Introd. 2. It was not to the native citizens that this law applied, for by the Lex Julia they were already Roman citizens; at least as many as chose to avail themselves of that law; (Balb. 8.) but to the ‘peregrini’ who had been enrolled in the federate states. The construction is ‘data est iis si qui, &c.’

8. *Sexaginta diebus*] i. e. Within. Sall. Cat. 18. ‘intra legitimos dies profiteri.’

9. *Multos jam annos*] Upwards of twelve.

10. *Q. Metellum*] Namely, Pius, who was prætor at Rome, A. U. 664, when Silvanus and Carbo were tribunes.

11. *Si nihil aliud, &c.*] i. e. And not press the literary merits of Archias at all. *A fortiori*, if we do press them we shall gain our cause.

12. *De civitate*] Sc. of Heraclea, not of Rome; for having proved the enrolment of Archias in Heraclea, which he proceeds to do (Heracleæne esse, &c.) and shown that he had

complied with the provisions of Carbo’s law, he concludes against Gracchus, that Arch. is not a ‘peregrinus;’ and therefore is not to be expelled from Rome.

13. *Causa dicta*] i. e. Defensio, perorata. *Passer*.

14. *Quid horum, &c.*] There were three points in the defence. 1. That Archias was a citizen of Heraclea, which, as the registry office had been destroyed in the Social war, Cic. proves by the testimony of M. Lucullus and certain Heracleian deputies.

15. *Grati*] Or *Gracche*. Nothing certain is known of him.

16. *Religione*] Regard for his oath. Sometimes ‘jurisjurandi’ is added.

17. *Non audivisse, sed vidisse*] ‘Segnius irritant animos dimissa per aures Quam quæ sunt oculis subjecta fidelibus.’ Hor. Ὅρα ἀπιστότερα ὁφθαλμῶν. Herod. Vid. Mil. 4. for a similar construction, ‘Est hæc non scripta sed nata lex, &c.’

18. *Heracleensem*] Al. *Heracleæ*.

quas Italico¹⁹ bello, incenso tabulario,²⁰ interisse scimus omnes. Est ridiculum, ad ea, quæ habemus, nihil dicere; quærere, quæ habere non possumus: et de hominum memoria tacere, literarum memoriam²¹ flagitare: et quum habeas amplissimi viri²² religionem, integerrimi municipii²³ jusjurandum fidemque, ea, quæ depravari nullo modo possunt, repudiare; tabulas, quas idem dicis solere corrumpi, desiderare. At domicilium²⁴ Romæ non habuit. Is qui tot annis ante civitatem datam, sedem omnium rerum ac fortunarum suarum Romæ²⁵ collocavit? At non est professus.²⁶ Immo vero iis tabulis professus, quæ solæ ex illa²⁷ professione collegioque prætorum, obtinent publicarum tabularum auctoritatem.

V. Nam quum Appii¹ tabulæ negligentius asservatæ dicerentur, Gabinii,² quamdiu incolumis³ fuit, levitas,⁴ post damnationem calamitas,⁵ omnem tabularum fidem resignasset:⁶ Metellus, homo sanctissimus modestissimusque⁷ omnium,

19. Italico] Called otherwise, Social or Marsic.

20. Tabulario] An adj. subintell. loco; 'archives.'

21. Literarum memoriam] Sc. tabulas.

22. Viri] L. Luculli.

23. Municipii] Heracleæ. For, by the Julian law, each federate state became a corporate city. Inf. 5.

24. At domicilium] The second point against which the defence is directed.

25. Romæ] Al. in Italia, the wording of the law, which suits the argument better. For, if long before the freedom of Heraclea was conferred on him, he had made Rome the seat of his fortunes, *a fortiori*, he had a residence in Italy at the time of Carbo's law.

26. At non est professus] The third point; which is disproved by the registration appearing on the books of the most respectable of the prætors, Metellus Pius.

27. Solæ ex illa, &c.] The census on Carbo's law passing, was, no doubt, very extensive, and would employ all the prætors. Metellus's was the only registration-list among the

whole, and among (or with) the college of prætors, that continued to possess public authority. This he proceeds to prove. 'Nam, &c.' 'Solæ ex,' as Brut. Ep. 15. 'Solon—legum scriptor solus ex septem;' not as Dunc. 'by,' which makes the authority of the tables depend upon Archias's enrolment, and then his enrolment on them!

SECT. V.—1. Appii] Claudii Pulchri, coss. of the year in which Sylla resigned. He was defeated by Spartacus in the Servile war. Ern. conceives him to be either the father or uncle of P. Clodius.

2. Gabinii] P. Capitonis, Cæcil. 20, accused, by L. Piso, of extortion in Achaia.

3. Incolumis] Explained by 'post damnationem.'

4. Levitas] Corruption. Ern. Clav.

5. Calamitas] Manil. 6. Here 'confiscation of his property.'

6. Resignasset] 'Resignare' is, properly, to break a seal. The prætors, it is probable, affixed their seals to the registration. The transition to 'fides' is easy.

7. Modestissimus] Qui legum diligentissimus observator esset. Ern.

tanta diligentia fuit, ut ad L. Lentulum⁸ prætorem et ad iudices venerit, et unius nominis litura se commotum esse dixerit. His igitur tabulis nullam lituram in nomen⁹ A. Licinii videtis. Quæ quum ita sint,¹⁰ quid est, quod de ejus civitate dubitetis, præsertim quum aliis quoque in civitatibus fuerit adscriptus? Etenim quum mediocribus multis, et aut nulla, aut humili aliqua arte¹¹ præditis, gratuito civitatem in Græcia¹² homines impertiebantur, Rheginos credo, aut Locrenses,¹³ aut Neapolitanos, aut Tarentinos, quod scenicis artificibus largiri solebant, id huic, summa ingenii prædito gloria,¹⁴ noluisse. Quid? quum ceteri, non modo post civitatem da-

Clav.; contrasted with the negligence and 'levity' of his colleagues.

8. *L. Lentulum*] Prætorem cum P. Gabinus de repetundis esset damnatus. *Ern.* But when was this? Prætor eo anno quo lex Carbonis et Silvani lata est. *Schütz.* But this would make Metellus and Lentulus colleagues.— Why then should he go to Lentulus about 'the erasure'? We may conjecture that some time after the law passed, Metellus was called on to give similar testimony to the present in the prætor's (Lentulus's) court, in the case of an individual whose name was erased; or the fact of 'an erasure' appearing on the tables may have been a legitimate subject for the decision of that court.

9. *In nomen*] For 'in nomine.' Manil. 12. 'in potestatem,' for 'in potestate.' Gell. i. 7, and, xvii. 2.

10. *Quæ cum ita sint*] These three points being established, (vid. supr. n. 14. 24. 26.) why doubt his citizenship, especially as his claim could be established in a similar manner, through several other cities, in which (as I said above, c. 3.) he was enrolled. For it cannot be supposed that those cities would deny to him what they have conceded to other foreigners of the lowest grade. And when, not only after citizenship was granted to foreigners, by the law of

Silv. and Carbo (when the novelty of the thing opened the door to imposition,) but even after the Papian law had banished them from Rome, others, nevertheless, pretending to be Rhegini, &c., contrived to get themselves clandestinely enrolled on 'the tables' of those free towns which were kept by the prætors, and thereby to continue in the city; shall Archias, the genuine citizen of those states, though his attachment to Heraclea induced him to rest his plea on it, be expelled?

11. *Humili arte*] Sc. players. So 'scenicis artificibus' inf. Val. Max. ii. 4.

12. *In Græcia*] Sc. Magna Græcia. The opposition is not between Greece and the Rhegini, &c. who were not of Greece, but between Magna Græcia in general, and the four cities of which Archias was a citizen. Vid. c. 3.

13. *Locrenses*] A people of Locri, a town of Bruttii, in the south of Italy. They joined the Romans in the war with Pyrrhus; and though their city was occupied by the Carthaginians in the second Punic war, the feeling of the people was so much in favour of the Romans, that that people afterwards restored them their liberty and laws. Liv. xxix. 16.

14. *Summa.....gloria*] Opposed

tam, sed etiam post legem Papiam,¹⁵ aliquo modo in eorum municipiorum tabulas irrepserint : hic, qui ne utitur quidem illis, in quibus est scriptus, quod semper se Heracleensem esse voluit, rejicietur ? Census¹⁶ nostros requiris scilicet. Est enim obscurum, proximis censoribus,¹⁷ hunc cum clarissimo imperatore, L. Lucullo, apud exercitum fuisse : superioribus,¹⁸ cum eodem quæstore fuisse in Asia : primis,¹⁹ Julio et Crasso, nullam populi partem esse censam. Sed, quoniam²⁰ census non jus civitatis confirmat, ac tantummodo indicat, eum, qui sit census, [ita] se jam tum gessisse pro cive :²¹ iis temporibus, quæ tu²² criminariis ne ipsius quidem iudicio eum in civium Romanorum jure esse versatum, et testamentum sæpe fecit²³ nostris legibus,²⁴ et adiit hereditates²⁵ civium Romanorum, et in beneficiis²⁶ ad ærarium delatus est a L. Lucullo prætore et consule.

to 'gratuito,' supr.

15. *Post civitatem.....Papiam*] The interval was about twenty-four years. Introd. 3.

16. *Census*] An additional obj. For if Archias were a Roman citizen since 664, his name would appear on the censor's books ; but it did not. Cic. refutes this by showing, either that he was not at Rome when the census was held, or that when he was at Rome, it was neglected.

17. *Prox. cens.*] The nearest to the present time ; sc. Cn. Lentulus Clodianus and L. Gellius, who were censors, A. U. 683, in the consulship of Crass. and Pomp., and of course, during the third Mithrid. war.

18. *Superioribus*] L. Marcius Philippus, M. Perpenna, A. U. 667, the year of Marius's death, when Lucullus was quæstor of Sylla, in the first Mithrid. war.

19. *Primis*] L. Jul. Cæsar and P. Licin. Crassus, in 664, the year of Silvanus's and Carbo's law. The census was prevented by the public disturbances ; and hence the early appointment of Philip and Perpenna above.

20. *Sed quoniam*] Gratius argued

that the non-enrolment of Archias amounted to a confession of his having no just claim. Cic. shows, that though Arch. does not appear by his 'census,' as claiming to be a Roman citizen, yet he does what is equivalent. He made a will ; obtained bequests ; was recommended to the treasury, &c.

21. *Gessisse pro cive*] Which he might not be.

22. *Quæ tu*] Al. *queis*. Em. would understand *dicendo*. But translate it 'during which.'

23. *Testamentum fecit*] Which 'peregrini' could not do.

24. *Nostris legibus*] More Romano. *Passer*.

25. *Adiit hered.*] Another thing denied to 'peregrini.'

26. *In beneficiis*] As a foreigner could not serve in the Roman army, Archias, whose services were honourably noticed by his general, could not have been a foreigner. 'Beneficia' meant 'the list of persons recommended, by the general, to the treasury for their public services. 'In beneficiis,' therefore, is not to be rendered 'for favours,' as it does not appear to have conferred any emolument.

VI. Quære argumenta, si qua potes. Nunquam enim hic neque suo,¹ neque amicorum² iudicio revincetur.

Quæres a nobis, Grati, cur tanto opere hoc homine delectemur. Quia³ suppeditat⁴ nobis, ubi et animus ex hoc forensi strepitu reficiatur, et aures convicio⁵ defessæ conquiescant. An tu existimas aut suppetere nobis posse quod quotidie dicamus,⁶ in tanta varietate rerum, nisi animos nostros doctrina excolamus,⁷ aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus?⁸ Ego vero fateor, me his studiis esse deditum: ceteros pudeat, si qui ita se literis abdiderunt,⁹ ut nihil possint ex his neque ad communem afferre fructum,¹⁰ neque in adspectum¹¹ lucemque proferre. Me autem quid pudeat, qui tot annos ita vivo, iudices, ut ab nullius unquam me tempore¹² aut commodo,¹³ aut otium meum abstraxerit, aut voluptas avocarit, aut denique somnus retardarit? Quare quis tandem me reprehendat, aut quis mihi iure succenseat,¹⁴ si, quantum ceteris ad suas res obeundas,

Fam. v. 20.

SECT. VI.—1. *Neque suo*] For Gratus urged his non-enrolment as a tacit admission of his being a 'peregrinus.'

2. *Neq. amicorum*] For Lucullus, by his recommendation, declared him a citizen.

3. *Quia*] The first cause of his love of learning.

4. *Suppeditat*] (*Sub. pedibus ponere*) 'supplies;' where *ubi* imports *id quo*; and 'conquiescant,' not simply 'enjoy repose,' but 'pleasurable relaxation:' 'non cessatio ab opere sed quies animi, securitas et voluptas significatur.' *Forcel.* 'Suppedito' is often intransitive. *Cat. ii. 11.* 'rebus quibus nos suppeditamus, &c.' *Off. i. 4.* 'Parare quæ suppeditent ad cultum.' Perhaps it may be so here: 'Because he is a never failing supply to us when, &c.'

5. *Convicio*] (*A voce, qu. convocium*) *Maledictis. Passer.* *Clamore caussidicorum Grav.* Others read *convitio* and derive it, but improbably, from 'vitium.'

6. *Quotidie dicamus*] For Cic.

pleaded daily.

7. *Doctrina excolamus*] *Quint. Frat. i.* *Excolit doctrina vel vitiosissimam naturam.*

8. *Relaxemus*] *Phil. ii. 16.* 'Homines, si modo homines, interdum animis relaxantur.' It is opposed to 'contentio,' keeping the mind on the stretch.

9. *Se literis abdiderunt*] In literis delituerunt. *Fam. 7.* *Se totum in literis abdere. Passer.*

10. *Communem fructum*] The great end of all study. Hence *Virg.* places such persons in Elysium, 'qui vitam excoluere per artes;' and *Persius* remarks, 'Scire tuum nihil est, nisi te scire hoc sciat alter.' *Passer.*

11. *Neque in aspectum*] *Sc. sophists, rhetoricians, &c.*

12. *Tempore*] No man's danger. *Manil. 1.*

13. *Commodo*] *Al. commodum,* which, as Cic. usually joins synonymous words, is the more probable reading.

14. *Succenseat*] This meaning is, perhaps, deduced from *succensus*, subintel. *irâ.*

quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates, et ad ipsam requiem animi et corporis conceditur temporum, quantum alii tribunt tempestivis¹⁵ conviviis, quantum denique aleæ,¹⁶ quantum pilæ; tantum mihi egomet ad hæc studia recolenda¹⁷ sumpsero? Atque hoc adeo mihi concedendum est magis, quod ex his studiis hæc quoque crescit¹⁸ oratio et facultas,¹⁹ quæ, quantacunque est in me, nunquam amicorum periculis defuit. Quæ si cui levior²⁰ videtur, illa quidem certe, quæ summa sunt, ex quo fonte hauriam, sentio. Nam, nisi multorum præceptis,²¹ multisque literis²² mihi ab adolescentia suasissem, nihil esse in vita magno opere expetendum, nisi laudem atque honestatem, in ea autem persequenda omnes cruciatus corporis, omnia pericula mortis atque exsilii, parvi esse ducenda: nunquam me pro salute vestra in tot ac tantas dimicationes, atque in hos profligatorum hominum quotidianos impetus objecissem.—Sed pleni omnes sunt libri, plenæ sapientium voces, plena exemplorum vetustas; quæ jacerent in tenebris omnia, nisi literarum lumen accederet.²³ Quam multas nobis imagines, non solum ad intuendum,²⁴ verum etiam ad imitandum,²⁵ fortissi-

15. *Tempestivis*] Properly, ‘ begun in due time.’ But that varying by fashion from sun-set, when labour was done, to three, or even two o’clock, (Exul ab octava Marius bibit. Juv. i. 49, i. e. from two o’clock,) at length came to be considered the hour of *bons vivans*. De Senec. 14. ‘Ego vero propter sermonis delectationem, tempestivis quoque conviviis delector.’ So that with the wiser part, ‘the feast of reason’ was the motive of these early banquets. The number of those, however, who had not this motive, was quite sufficient to bring them into disrepute. Transl. ‘early.’

16. *Aleæ*] ‘Alea’ is, 1. a die; 2. any game of chance.

17. *Recolenda*] Revise. Ex intervallo repetenda; proprie enim intermissa recoluntur. Manut.

18. *Crescit*] Al. *censetur*, i. e. æstimatur.’ Quint., x. l., remarks, ‘poetarum lectionem oratoribus plurimum conferre.’

19. *Oratio et facultas*] A Hend. for ‘facultas orationis.’ This is the second cause for his love of learning.

20. *Quæ si cui levior*] Cicero’s third reason for his love of learning is, that—illa quæ summa sunt—the patriotism by which he lately saved his country sprang from that source. ‘Quæ si cui, &c.’ then is used merely for transition, as if he said, ‘some may doubt of the value of oratory, and the studies to which it owes its improvement. To them I offer an irrefragable proof of the value of Archias’s pursuits, in the love of glory, the contempt of dangers, exile, and death, which stimulated me lately in my arduous struggle for my country.’

21. *Multorum præceptis*] Philosophic dogmas which he had heard.

22. *Multisq. literis*] Poetry, history, &c., which he had read.

23. *Accederet*] Al. *accenderet*.

24. *Ad intuendum*] Voluptatis gratia. Manut.

25. *Ad imitandum*] Ut eorum ex-

morum virorum expressas,²⁶ scriptores et Græci et Latini reliquerunt! quas ego mihi semper in administranda republica proponens, animum et mentem meam ipsa cogitatione²⁷ hominum excellentium conformabam.

VII. Quæret quispiam:¹ “Quid? illi ipsi summi viri, quorum virtutes² literis proditæ sunt, istane doctrina, quam tu laudibus effers, eruditi fuerunt?” Difficile est² hoc de omnibus confirmare; sed tamen est certum, quid respondeam. Ego multos³ homines excellenti animo ac virtute fuisse, et sine doctrina, naturæ ipsius habitu prope divino, per se ipsos et moderatos et graves⁴ exstitisse fateor. Etiam illud adjungo, sæpius ad laudem atque virtutem naturam sine doctrina, quam sine natura valuisse doctrinam. Atque idem ego contendo, quum ad naturam eximiam atque illustrem accesserit ratio quædam⁵ conformatioque doctrinæ, tum illud nescio quid præclarum ac singulare solere existere: ex hoc esse hunc numero, quem patres nostri viderunt, divinum hominem, Africanum:⁶ ex hoc C. Lælium,⁷ L. Furium,⁸ mo-

emplo laudabiliter vivamus. Hor. Epist. ii. 1. 248. ‘Nec magis expressi, &c.’ *Manut.*

26. *Expressas*] Prominentes; *εκτυπέμεναι*. *Passer.* But this applies well to statues only. Trans. therefore, ‘delineated,’ ‘portrayed.’

27. *Cogitatione*] i. e. By studying the great characters of history he was able to conform his actions to their precepts. Hor. ‘Pectus præceptis format amicis.’

SECT. VII.—1. *Quæret quispiam?*] But it will be asked, were all great men learned? No, says Cic., not in every instance. Nay, I admit the superiority of genius over mere learning. But let us have both, and mark the result, ‘tum illud nescio quid præclarum—solere existere.’—‘This is his ‘certum quid respondeam.’ Hor. decides similarly,

—Ego nec studium sine divite vena;

Nec rudè quid prosit video ingenium, &c. De A. P. 409.

2. *Virtutes*] Res gestas et egregia fortitudinis facinora. *Delph.*

2. *Difficile est*] For among great men some were learned; some not. To this is opposed ‘certum quid respondeam,’ as above.

3. *Multos*] For it was a long time before ‘Græcia capta ferum victorem cepit et artes, &c.’ M. Cato, the censor, in the second Punic war, was among the first that cultivated letters.

4. *Moderatos et graves*] Those qualities, Cic. hints, arise from learning. So inf. ‘moderatissimos homines et contentissimos.’ The former includes all the virtues that command self respect; the latter, the respect of mankind.

5. *Ratio quædam*] A proper acquaintance with.

6. *Africanum*] Sc. Minorem. For Cic. says ‘quem patres nostri viderunt.’ But the elder began his career A. V. 535, a century and a half before this time; the younger was slain in 624. Cic. says of him, de Off. i. 32. ‘Is eloquentia cumulavit bellicam gloriam;’ and Hor. ‘Virtus Scipiadæ; mitis sapientia Læli.’

7. *C. Lælius*] was called Sapiens,

deratissimos homines et continentissimos: ex hoc fortissimum virum, et illis temporibus doctissimum, M. Catonem illum senem:⁹ qui profecto, si nihil ad percipiendam colendamque virtutem literis adjuvarentur, nunquam se ad earum studium contulissent. Quod si¹⁰ non hic tantus fructus ostenderetur, et si ex his studiis delectatio sola peteretur, tamen, ut opinor, hanc animi adversionem¹¹ humanissimam ac liberalissimam judicaretis.¹² Nam ceteræ¹³ neque temporum¹⁴ sunt, neque ætatum¹⁵ omnium, neque locorum:¹⁶ hæc studia adolescentiam alunt,¹⁷ senectutem oblectant,¹⁸ secundas res ornant, adversis perfugium¹⁹ ac solatium præbent, delectant domi, non impediunt foris, pernoctant nobiscum, peregrinantur,²⁰ rusticantur.

VIII. Quod si ipsi¹ hæc neque attingere,² neque sensu nostro gustare³ possemus, tamen ea mirari deberemus,

from his love of philosophy and letters. He was consul A. V. 613, and is celebrated for his knowledge of augury. Phil. ii. 33, and De Amic.

8. *L. Furius*] called 'Philus,' a celebrated Latin scholar, and patron of learned men. Brut. 28. He was consul A. V. 617.

9. *Senem*] He learned Greek in his old age, (Acad. iv. 2. Cum Græcas litteras M. Catonem in senectute didicisse acceperam) and died at the age of eighty-five.

10. *Quod si, &c.*] If the study of letters offered no advantages, yet as an agreeable recreation, letters ought to be cultivated; and, of course, Archias patronised.

11. *Adversionem*] Al. *remissionem*, referring to 'studiis,' preceding.

12. *Judicaretis*] Judicare debere. *Manut.*

13. *Ceteræ*] Sc. Artes.

14. *Temporum*] E. g. Eloquence is no longer heard in the din of war; and its art again is useless in peace. But Homer was equally the delight of Alexander, and of Pericles.

15. *Ætatum*] Hor. de Art. Poet. v. 155.—175.

16. *Locorum*] For the camp, the

senate, the court, have each their peculiar pursuits; but poetry gains access to them all.

17. *Alunt*] Al. *Agunt*, i. e. *παί-δαγωγῶσι*; [instituant. *Lamb.*; or rather, as Ern. 'excitant.'

18. *Senectutem oblectant*] *Γέροντες ἄμεσοι* miseri. *Passer.*

19. *Adversis perfugium*] Hor. Minuuntur atræ Carmine curæ; and O, laborum Dulce lenimen.

20. *Peregrinantur*] In opposition to 'remaining in one's native land;' but 'rusticantur,' to 'remaining in the city.'

SECT. VIII.—1. *Quodsi ipsi, &c.*] i. e. Admitting we cannot all have a taste for poetry, yet ought we to admire that taste in others; similarly to what occurred in the case of Roscius, whom thousands admired that could not imitate his performance; and recollect the superior nature of Archias's acquirements; the difference between the body and the soul, &c.

2. *Attingere*] 1. To come in contact with. 2. Apply the mind to, study slightly. 3. (As inf. 9. and 11.) commence; treat cursorily, and

3. *Gustare*] To sip, to relish; which we apply, similarly, to a taste

etiam quum in aliis videremus. Quis nostrum tam animo agresti ac duro fuit ut Roscii⁴ morte nuper non commoveretur? qui quum esset senex mortuus, tamen, propter excellentem artem ac venustatem,⁵ videbatur omnino mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: nos animorum incredibiles motus celeritatemque ingeniorum⁶ negligemus? Quoties ego hunc Archiam vidi, iudices, (utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligenter attenditis,) quoties ego hunc vidi, quum literam scripsisset nullam,⁷ magnum numerum optimorum versuum de iis ipsis rebus, quæ tum agerentur,⁸ dicere ex tempore!⁹ quoties revocatum¹⁰ eandem rem dicere, commutatis verbis atque sententiis!¹¹ Quæ vero accurate cogitateque scripsisset, ea sic vidi probari, ut ad veterum scriptorum¹² laudem pervenirent. Hunc ego non diligam? non admirer? non omni ratione defendendum putem? Atqui sic a summis hominibus eruditissimisque accepimus, ceterarum rerum studia, et doctrina, et

for learning. Cic. joins them, Cœl. 12. 'Qui primoribus labris gustasent et extremis digitis attingissent.'

4. Roscii] Q. Roscius, a native of Lanuvium; the Garrick of the Romans. He was the first that wore a mask on the stage; which he did to conceal his personal defects. De Or. iii. 59. He was an instructor of Cic. in pronunciation and gesture, who says of him, De Or. i. 28., 'Eo præstantiæ pervenit ut quicumque in aliqua arte excelleret, is in suo genere 'Roscius' diceretur.' His talents procured him a seat in the senate, and Cic. testified his gratitude to him by defending him in a civil action; a part of which defence is still extant. Vid. pro Q. Rosc. Com.

5. Venustatem] Modestia ad vulgum et mores; venustas ad naturam corporis refertur. Donat.

6. Celeritatem ingeniorum] How swift is a glance of the mind! Cowp.

7. Literam nullam] i. e. Had committed nothing to writing.

8. Quæ tum agerentur] Consequently his verses could not have

been premeditated.

9. Dicere ex tempore] Quint. x. 7. Hanc [dicendi ex tempore] facultatem non in prosa modo multi sunt consecuti, sed etiam in carmine; ut Antipater Sidonius et Licinius Archias. Credendum enim Cic. est; non quia nostris quoque temporibus non et fecerint quidam hoc, et faciunt. De Or. iii. 50. Versus hexametros, aliosque variis modis atque numeris fundere ex tempore. The same talent is still found in the modern Improvisatori.

10. Revocatum] Called back to repeat; encored. 'Revocari' dicuntur qui eandem rem altera vice dicunt. Ern.

11. Sententiis] Sententia—pronunciatum quo sensus integer in verbis exprimitur. Forcel.; a thought; a phrase expressing a thought. Arch. clothed the same facts in a different costume.

12. Vet. scriptorum] Antiquorum poetarum. Nam antiquitas proxime ad deos accedit. Hence the general complaint of deterioration by time.

præceptis, et arte constare: poëtam natura ipsa¹³ valere, et mentis viribus excitari, et quasi divino quodam spiritu inflari.¹⁴ Quare suo jure¹⁵ noster ille Ennius¹⁶ sanctos¹⁷ appellat poëtas, quod quasi deorum aliquo dono atque munere¹⁸ commendati nobis esse videantur. Sit igitur, iudices, sanctum apud vos, humanissimos homines, hoc poëtæ nomen, quod nulla unquam barbaria¹⁸ violavit. Saxa et solitudines voci¹⁹ respondent; bestię sæpe²⁰ immanes cantu flectuntur atque consistunt:²¹ nos instituti rebus optimis non poëtarum voce moveamur? Homerum Colophonii²² civem esse dicunt suum: Chiisuum vindicant, Salaminii repetunt, Smyrnæi vero suum esse confirmant, itaque etiam delubrum²³ ejus in oppido dedicaverunt: permulti alii²⁴ præterea pugnant inter se atque contendunt.²⁵

IX. Ergo illi alienum, quia poëta fuit, post mortem etiam

Hor. 'Damnosa quid non imminuit dies?' But vid. on the other side of the question. Hor. Epist. ii. 1. *Passer*.

13. *Natura ipsa*] 'Poëta nascitur.' Vid., also, Hor. *Natura fieret laudabile carmen, an arte*. A. P. 408. *Quem tu, Melpomene, &c.* Carm. iv. 3.

14. *Div.—spiritu inflari*] ἐνθεσιαζέσθαι. Est deus in nobis; agitante calescimus illo. Ovid. Fast. vi. 6.

15. *Suo jure*] Quod illi licuit; citra reprehensionem. *Passer*.

16. *Ennius*] Was born at Rudiaë, in Calabria, about the beginning of the sixth century of Rome, and end of the first Punic war. His patron, therefore, was Scipio the elder. He first wrote Latin hexameters. About a thousand of his verses are yet extant. Acad. iv. 27.; ad Her. ii. 22.

17. *Sanctos*] Qu. 'sancitos'—held sacred; inviolable. Hor. *Silvestres homines sæter, &c.* A. P. 391.

18. *Dono—munere*] Omitti donum sine ulla reprehensione, munus omnino non potest. *Manut.*

18. *Barbaria*] i. e. Barbari, (the territory for the people,) opposed to 'humanissimos.' With the Greeks it meant every country but their own. Πᾶς μὴ Ἑλλην βάρβαρος; with the Romans, every country but

Greece and Italy. Fin. ii. 15. A quo non solum Græcia et Italia, sed etiam omnis Barbaria commota est.

19. *Voci*] Sc. of the poet, *sua voce*, i. e. echo, being understood.

20. *Bestię sæpe*] The fables of Orpheus, Arion, &c., are alluded to. Hor. Carm. ii. 12. 'Quid mirum, &c.' and iii. 11. 'Tu potes tigres, &c.'

21. *Consist.*] Stop, cease to attack.

22. *Colophonii*] The distich is, Smyrna, Chios, Colophon, Salamis, Rhodos, Argos, Athenæ, Orbis de patria certat Homere tua. A. Gell. iii. 11.

The testimonies, however, as collected by Leo Allatius, are in favour of Chios. So Byron, 'The blind old man of Scio's rocky isle.' Homer lived about 168 years after the Trojan war, and as many before the foundation of Rome.—Colophon and Smyrna are cities of Ionia; Salamis, a city of Cyprus, founded by Teucer. Hor. Od. i. 3. Chios, now Scio, an island of the Ægean Sea.

23. *Delubrum*] In quo homines piacula sua deluunt. Th. λέω lavo.

24. *Permuli alii*] Vid. the distich supr.

25. *Contendunt*] Weiske would supply *de eo*, or the like. V. E.

expetunt : nos hunc vivum, qui et voluntate et legibus noster est, repudiamus? præsertim quum omne olim studium atque omne ingenium contulerit Archias ad populi Romani gloriam laudemque celebrandam? Nam et Cimbricas res adolescens attigit,¹ et ipsi illi C. Mario,² qui durior³ ad hæc studia videbatur, jucundus fuit. Neque enim quisquam est tam aversus à Musis, qui non mandari versibus æternum suorum laborum facile præconium⁵ patiat. Themistoclem illum, summum Athenis virum dixisse aiunt, quum ex eo quæreretur, quod acroama,⁶ aut cuius vocem libentissime audiret : “ ejus a quo sua virtus optime prædicaretur.” Itaque ille Marius item eximie L. Plotium⁷ dilexit, cuius ingenio putabat ea, quæ gesserat, posse celebrari. Mithridaticum vero bellum,⁸ magnum atque difficile, et in multa varietate terra marique versatum, totum ab hoc expressum est : qui libri non modo L. Lucillum, fortissimum et clarissimum virum, verum etiam populi Romani nomen illustrent. Populus enim Romanus aperuit, Lucullo⁹ imperante, Pontum, et regiis quondam opibus, et ipsa natura regionis vallatum : populi Romani exercitus; eodem duce, non maxima manu¹⁰ innumerabiles Armeniorum copias fudit : populi Romani laus est, urbem amicissimam Cyzicenorum,¹¹ ejusdem consilio, ex omni impetu regio, ac totius belli ore ac faucibus

SECT. IX.—1. *Attigit*] Vid. supra, c. 8. n. 2.

2. *Ipsi illi Mario*] Sc. the conqueror of the Cimbri.

3. *Durior*] Vid. Sall. Jug. 85, where Marius thus defends his ignorance of Greek. ‘ Neque Græcas litteras didici; parum placebat illas discere, quippe quæ ad virtutem doctoribus nihil profuissent.’ Great then must have been the merit of Arch. to overcome his prejudices.

4. *Themistoclem*] The conqueror of the Persians at Salamis. Vid. Nep. Vit. Themist. V. Max. viii. 15.

5. *Præconium*] (præcino) 1. The voice of the crier. 2. A proclamation. 3. Commendation. For ‘ qui vult extrudere merces,’ (Hor. Ep. ii. 2.) is not usually sparing of praise.

5. *Acroama*] (ἀκρόαμα) 1. A musical symphony; a concert. 2. A singer; a minstrel. Sext. 54. Ipse

ille maxima ludius non solum spectator sed actor et acroama; i. e. the flute-player who accompanied the actor in his recitations. Forcel. adopts the second, Manut. the first meaning.

7. *L. Plotium*] Mentioned by Seut. de Clar. Rhet. Cic. says, that when he was a boy, it was quite the rage to attend his lectures; and that he was very sorry at not being permitted to attend them by his friends, who thought Greek recitations more useful.

8. *Mithrid. bellum*] He means that part of the third war which was conducted by Lucullus. The whole was lately concluded by Pompey, whose poet was Theophanes. Inf. 10.

9. *Lucullo*] Introd. Lex. Man.

10. *Manu*] Tigranes remarked, that as ambassadors they are too many; as soldiers, too few. Plut. Lucul. 27.

11. *Urbem...Cyz.*] Manil. c. 8. n. Mur. 15.

ereptam esse atque servatam : nostra¹² semper feretur et prædicabitur, L. Lucullo dimicante, cum interfectis ducibus depressa hostium classis, et incredibilis apud Tenedum¹³ pugna illa navalis : nostra sunt tropæa,¹⁴ nostra monumenta, nostri triumphi. Quare, quorum ingeniis hæc feruntur, ab iis populi Romani fama celebratur. Carus fuit Africano superiori¹⁵ noster Ennius : itaque etiam in sepulchro Scipionum¹⁶ putatur is esse constitutus e marmore.¹⁷ At iis laudibus certe non solum ipsi, qui laudantur, sed etiam populi Romani nomen ornatur. In cœlum hujus¹⁸ proavus Cato¹⁹ tollitur : magnus honos populi Romani rebus adjungitur. Omnes denique illi Maximi, Marcelli, Fulvii, non sine communi omnium nostrum laude decorantur.

X. Ergo illum, qui hæc fecerat,¹ Rudinum² hominem, majores nostri in civitatem³ receperunt : nos hunc Heracleensem, multis civitatibus⁴ expetitur, in hac autem legibus⁵ constitutum, de nostra civitate ejiciemus ?

12. *Nostra*] i. e. 'As ours.' It agrees with 'hostium classis,' and 'pugna illa navalis.'

13. *Tenedum*] An island of the Ægean, adjoining Sigeum, on the coast of Troas.

14. *Tropæa*] (From τροπή) A monument erected where the enemy was routed ; at first of trees, then of stone. Æn. xi. 5. Metonym. Spoils of war, victory.

15. *Afric. superiori*] To distinguish him from Africanus the younger, the friend of Lælius.

16. *In sepulchro Scipionum*] Liv. (xxxviii. 56.) mentions two sites of the tomb of the Scipios, Liternum and Rome. Cic. seems to have the latter in view, which is thus noticed : 'Romæ extra portam Capenam in Scipionum monumento tres statuæ sunt ; quarum duæ P. et L. Scipionum dicuntur esse ; tertia poetæ Q. Ennii. So Ovid. 'Ennius emeruit, Calabris in montibus ortis, Contiguus poni, Scipio Magne ! tibi.'

17. *Constitutus e marmore*] Made or built. So Cat. i. 9. Sacrarium constitutum fuit ; and Seut. Jul. Cæs. 10.

Ædes in foro constituta geminis fratribus.

18. *Hujus*] One of the 'judices,' or 'advocati.'

19. *Cato*] Sc. Major. Liv. xxxix. 40.

20. *Maximi, &c.*] These great men flourished in the second Punic war, and were, therefore, celebrated by Ennius. He alludes to Q. Fabius Cunctator, M. Claudius Marcellus, and Q. Fulvius Flaccus.

SECT. X.—1. *Hæc fecerat*] Versified the achievements of Scipio, &c.

2. *Rudinum*] Al. *Rudium*. Supr. c. 8. n. 16. Rudia was, no doubt, an obscure place, as Cic. here contrasts it with the splendour of Heraclea, of which Arch. was a citizen.

3. *In civitatem*] Through M. Fulvius Nobilior, who had led out a colony to Rudia, and whom Ennius accompanied in his expedition against the Ætolians. Inf. 11.

4. *Multis civitatibus*] Sc. Rhegini, Locrenses, &c.

5. *Legibus*] Sc. of Silvanus and Carbo.

Nam si quis minorem gloriæ fructum putat ex Græcis⁶ versibus percipi, quam ex Latinis, vehementer errat: propterea, quod Græca leguntur in omnibus fere gentibus,⁷ Latina suis finibus, exiguis⁸ sane, continentur. Quare si res eæ, quas gessimus, orbis terræ regionibus⁹ definiuntur, cupere debemus, quo¹⁰ manuum¹¹ nostrarum tela pervenerint, eodem gloriam famamque penetrare: quod¹² quum ipsis populis, de quorum rebus scribitur, hæc ampla sunt, tum iis certe, qui de vita, gloriæ causa, dimicant, hoc maximum et periculorum incitamentum est, et laborum. Quam multos scriptores rerum suarum magnos ille Alexander secum habuisse¹³ dicitur! Atque is tamen, quum in Sigeo¹⁴ ad Achillis tumulum¹⁵ adstitisset, ‘O fortunate,’ inquit, ‘adolescens, qui

6. *Ex Græcis*] Arch. wrote in Greek.

7. *In omnibus gentibus*] We know how the Scriptures were written in Greek, and for the same reason.

8. *Finibus exiguis*] Latium only. Liv. xl. 42, mentions the Romans permitting the people of Cumæ to use the Latin language in public, and their auctioneers the privilege of selling in Latin. The Celtic and Etruscan dialects were used in Upper Italy; in Magna Græcia, Greek.

9. *Orbis terræ regionibus*] i. e. ‘Limitibus.’ Not strictly. For Spain, on the west, and the Euphrates on the east, bounded the empire; nor were Gaul and Germany as yet conquered.

10. *Quo*] Al. *quo minus*; which reading is defended by Burman, Virg. G. iii. 319, who understands by *quo minus, quo non*, and thinks that countries beyond the Roman empire are designed. But then *eodem* should be *eo*, and there can be nothing beyond the limits of the world (*regiones orbis terræ*.) Ern.

11. *Manuum*] Sc. *quæ nostris manibus vibrantur*. An ‘*manuum*’ copiarum significat. ut supr. 9. ‘non maxima manu.’ Passer.

12. *Quod, &c.*] The great talents of Cic. appear in the variety of lights in which he has set this simple pro-

position, ‘that individual fame redounds to the national glory.’ Vid. c. 9. ‘qui libri non modo Lucullum,’ &c. ‘At iis laudibus certe, &c.’ ‘In cœlum hujus proavus, &c.’ The order is, ‘quod hæc ampla sunt quum, &c...tum hoc est...&c. iis certe, &c.’ *Hæc* and *hoc* mean the same; sc. poetic compositions; and ‘*ampla*’ is ‘*magnifica, honorifica*.’

13. *Secum habuisse*] Sc. Callisthenes, as Trogus testifies; Aristobulus, mentioned by Arrian; and Clitarachus, by Pliny. But Cic. rather refers here to the poets, of whom Hor. specifies Chærilus. ‘Gratus Alexandro regi magno fuit ille Chærilus incultis qui versibus, &c.’ Alexander was then marching against Darius.

14. *Sigeo*] Sigeum is a promontory of Troas, at the mouth of the Scamander, where stood the tomb of Achilles; so called, says Servius, from the silence (*σιγή*) which was observed by Hercules, when he marched from thence to Troy.

15. *Ad Achilles tumulum*] ‘The flocks are grazing on the mound Of him who felt the Dardan’s arrow; That mighty heap of gathered ground Which Ammon’s son ran proudly round,

Is now a lone and nameless barrow.’

Byron.

Vid. Plut. Vit. Alex. 15.

tuæ virtutis Homerum præconem¹⁶ inveneris!" Et vere. Nam, nisi Ilias illa exstitisset,¹⁷ idem tumulus,¹⁸ qui corpus ejus contexerat, nomen etiam obruisset. Quid? noster hic Magnus,¹⁹ qui cum virtute fortunam adæquavit,²⁰ nonne Theophanem,²² Mitylenæum, scriptorem rerum suarum, in concione militum civitate donavit?²³ et nostri illi fortes viri, sed rustici²⁴ ac milites, dulcedine quadam gloriæ commoti, quasi participes²⁵ ejusdem laudis, magno illud clamore approbaverunt? Itaque, credo,²⁶ si civis Romanus Archias legibus non esset, ut ab aliquo²⁷ imperatore civitate donaretur, perficere non potuit? Sulla, quum Hispanos et Gallos²⁸ donaret, credo, hunc petentem repudiasset! quem nos in concione vidimus,²⁹ quum ei libellum³⁰ malus poëta de populo³¹ subjecisset,³² quod epigramma³³ in eum fecisset tantummodo³⁴ alternis versibus longiusculis,³⁵ statim ex iis rebus, quas tunc vendebat,³⁶ jubere ei præmium tribui sub ea conditione, ne quid postea scriberet. Qui sedulitatem mali poëtæ

16. *Præconem*] C. 9. n. 5.

17. *Exstitisset*] Supr. c. 1. n. 10.

18. *Tumulus*] (A tumeo) properly, a bank of sand in the sea. Hence a grave.

19. *Noster magnus*] Pompey; opposed to 'Magnus ille,' supr. Vid. *Introd.* Manil.

20. *Qui—adæquavit*] Was as brave as he was fortunate. *Inf.* c. 11. n. 20.

22. *Theophanem Mityl.*] Called also, the Lesbian, (for Mitylene was in Lesbos,) versified the exploits of Pompey. *V. Max.* viii. 15.

23. *Donavit*] By a law of the consuls, Gell. and Cornelius, *l. v.* 681, Pompey was allowed, with the consent of a council of war, to confer citizenship on deserving individuals. He was then commanding in Spain, against Perpenna. *Balb.* 8. 14.

24. *Sed rustici*] i. e. Who had lived in the country, and consequently, not likely to have much taste in poetry. Any Roman citizen, whether of equestrian or plebeian rank, who resided in the colonies or free towns, was so called. *Rosc. Am.* vii. 18.

25. *Quasi participes*] For the

praises of the general, contained in the verses of Theophanes, redounded to the glory of the soldier. *Marcel.* 2. 'Nam bellicas laudes, &c.'

26. *Credo*] Ironically, as usual.

27. *Aliquo*] E. g. Sylla or Metellus.

28. *Hispanos et Gallos*] i. e. The Spaniards and Gauls who had served under him. *Balb.* 22.

29. *Nos vidimus*] Cic. was about twenty-four, in the dictatorship of Sylla.

30. *Libellum*] A petition.

31. *De populo*] 'Εκ τῶν πολλῶν. *Verr.* i. De populo subscriptor addatur. *Brut.* 34. Accusator de plebe.

32. *Subjecisset*] *Sub*, privately.

33. *Epigramma*] 1. An inscription on gifts consecrated to the gods. 2. A short poem, a sonnet.

34. *Tantummodo*] Its claim to poetry was limited to the versification.

35. *Alternis—longiusculis*] Every second line being somewhat long; i. e. longer than pentameters; which takes place in elegiacs.

36. *Quas—vendebat*] The property

duxerit aliquo tamen præmio dignam, hujus ingenium et virtutem in scribendo et copiam non expetisset? Quid? a Q. Metello Pio, familiarissimo suo, qui civitate multos donavit, neque per se, neque per Lucullos³⁷ impetravisset? qui præsertim usque eo de suis rebus scribi cuperet, ut etiam Cordubæ natis³⁸ poetis, pinque³⁹ quiddam sonantibus⁴⁰ atque peregrinum,⁴¹ tamen aures suas dederet.⁴²

XI. Neque enim est hoc dissimulandum, quod obscurari non potest; sed præ nobis ferendum: trahimur omnes¹ laudis studio, et optimus quisque maxime gloria ducitur. Ipsi illi philosophi, etiam illis libellis, quos de contemnenda gloria scribunt, nomen suum² inscribunt: in eo ipso, in quo prædicationem nobilitatemque³ despiciunt, prædicari de se, ac nominari volunt. Decimus quidem Brutus,⁴ summus ille vir et imperator, Attii,⁵ amicissimi sui, carminibus templorum ac monumentorum⁶ aditus exornavit suorum. Jam vero

of the proscribed.

37. *Per Lucullos*] They were cousins of Metellus Pius, their mother being sister of Metellus Numidicus.

38. *Cordubæ natis*] Now Cordova, a town of Andalusia, on the Guadalquivir. The names of Lucan and Seneca, in after times, are enough to retrieve its character. Martial too, was a Spaniard, but of Bilbilis, a town of Celtiberia.

39. *Pingue*] besides signifying stupid, doltish, also imports, as here, harsh, turgid; a fault which is discernible even in the pages of Lucan and Seneca.

40. *Sonantibus*] 'Sonare' poetæ dicuntur. Atque os magna sonaturum. Hor. Sed hic sonus est pronunciationis. In Bruto;—'Cotta sonabat contrarium Catulo subagreste quiddam.' Passer.

41. *Peregrinum*] i. e. in Latin, with a mixture of barbarisms.

42. *Aures suas dederet*] Sc. when commanding in Spain, against Sertorius. 'Dederet' is not, according to Passer. 'commodaret,' but 'omni-no traderet.'

SECT. XI.—1. *Trahimur omnes*] Sed fulgente trahit constrictos gloria curru, Non minus ignotos generosis. Hor. Sat. i. 6. 23.

2. *Nomen suum*] Tusc. i. 15. Quid nostri philosophi? Nonne in ipsis libris quos scribunt de contemnenda gloria sua nomina inscribunt. Hott.

3. *Nobilitatemq.*] Celebritatem nominis. Passer.

4. *D. Brutus*] Consul A. U. 615, with Scipio Nasica. He was celebrated for his victories over the Spaniards, and for founding Valentia, supposed to be still the capital of the province which bears that name. From his conquests in Gallæcia, he was named Gallæcius or Callaicus. Val. Max. viii. 15.

5. *Attii*] 'Nil comis tragici mutat Lucilius Atti.' Hor. Sat. i. 10. 35. He wrote a tragedy, called Brutus, founded on the tragedy of the King-expeller, which was performed with great applause at the Apollinarian games, celebrated by Brutus, A. U. 609, after the death of Cæsar. Phil. i. 15.

6. *Templ. ac monum.*] These words are synonymous. Monumentorum hic simpliciter pro templo ponitur.

ille, qui cum Ætolis,⁷ Ennio comite, bellavit, Fulvius, non dubitavit Martis manubias⁸ Musis consecrare. Quare, in qua urbe imperatores prope armati, poëtarum nomen⁹ et Musarum delubra¹⁰ coluerunt, in ea non debent togati iudices a Musarum honore et a poëtarum salute abhorрere.

Atque, ut id libentius faciatis, jam me vobis, iudices, indicabo, et de meo quodam amore¹¹ gloriæ, nimis acri fortasse, verumtamen honesto, vobis confitebor. Nam, quas res¹² nos in consulatu nostro vobiscum simul pro salute hujus urbis atque imperii, et pro vita civium, proque universa republica gessimus, attigit¹³ hic versibus atque inchoavit: quibus auditis, quod mihi magna res et jucunda visa est, hunc ad perficiendum hortatus sum. Nullam enim¹⁴ virtus aliam mercedem laborum periculorumque desiderat, præter hanc laudis et gloriæ: qua quidem detracta, iudices, quid est, quod in hoc tam exiguo vitæ curriculo,¹⁵ et tam brevi, tantis nos in laboribus exerceamus? Certe, si nihil animus præsentiret in posterum,¹⁶ et, si quibus regionibus vitæ spatium circumscriptum est, eisdem omnes cogitationes terminaret suas, nec tantis se laboribus frangeret, neque tot curis vigiliisque¹⁷ angeretur, neque toties de vita ipsa dimicaret.¹⁸ Nunc insidet

Ern. They were, probably, built out of the spoils of war.

7. *Ætolis*] Manil. 6. Tusc. i. 2. Cato reproaches Fulvius with taking poets to war, in his train; alluding to Ennius.

8. *Manubias*] Qu. 'manubias' from 'manus' and 'vis.' 1. Spoils of war. 2. Money accruing from their sale. 3. That part of this money reserved by the general, for the erection of a monument. Dom. 38. 'In qua porticum post aliquanto Q. Catulus de manubiis Cimbricis fecit.'

9. *Nomen*] Alluding to Brutus and his inscriptions.

10. *Musarum delubra*] Referring to Fulvius, and the spoils which he had devoted to the muses.

11. *Meo quodam amore*] Cic. pleads guilty to the charge of loving glory and patronising Archias, in order that his hearers, out of respect for him,

might do so too.

12. *Quas res*] The Catilinarian conspiracy.

13. *Attigit*] Touched upon, began, supr. c. 8. n. 2.

14. *Nullam enim*] ——— 'Aut virtus nomen inane est, Aut decus et pretium recti petit experiens vir.' Hor. Epist. i. 17. 41.

15. *Curriculo*] *διφρίσκος*—a small chariot; 2. a chariot-race; 3. course, period, as here.

16. *In posterum*] To an hereafter. Cic. is here supposed to intimate the doctrine of the soul's immortality, which he elsewhere questions. Vid. Warburton's Div. Leg. iii. 2. 3. Rabir. perduel. 10. 'Sapientissimi cujusque animus ita præsentit in posterum ut nihil nisi sempiternum spectare videatur.' Marcel. 9.

17. *Vigiliisq.*] These necessarily follow cares.

18. *Dimicaret*] Sc. Animus. A

quædam in optimo quoque virtus, quæ noctes et dies animum gloriæ stimulis concitat, atque admonet,¹⁹ non cum vitæ tempore esse dimittendam commemorationem nominis nostri, sed cum omni posteritate adæquandam.²⁰

XII. An vero tam parvi animi¹ videamur esse omnes, qui in republica, atque in his vitæ periculis laboribusque versamur, ut, quum usque ad extremum spatium, nullum tranquillum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An, quum statuas et imagines,² non animorum simulacra, sed corporum, studiose multi summi homines reliquerint, consiliorum relinquere ac virtutum nostrarum effigiem non multo malle debemus, summis ingeniis expressam et politam? Ego vero omnia, quæ gerebam, jam tum in gerendo spargere me³ ac disseminare arbitrabar in orbis terræ memoriam sempiternam. Hæc vero sive a meo sensu⁴ post mortem abfutura est, sive, ut sapientissimi⁵ homines putaverunt, ad aliquam [animi] mei partem⁶ pertinebit: nunc quidem certe cogitatione quadam, speque delector.

Quare conservate, iudices, hominem pudore eo, quem⁷ amicorum videtis comprobari tum dignitate, tum etiam vestustate:⁸ ingenio autem tanto, quantum id convenit existi-

proof that his ideas of that great doctrine were not very settled.

19. *Stimulis admonet*] *Æn.* x. 586.

Lucagus, ut pronus pendens in verbera telo,

Admonuit bijugos.

20. *Adæquandam*] Equalled in point of duration.

SECT. XII.—1. *Parvi animi*] It showed a narrow mind, in Cicero's opinion, to limit its views to this life, which was a perpetual scene of difficulty and danger; whereas, the reward lay in the continued consciousness which should belong to the soul, of the glory resulting from great exploits.

2. *Imagines*] More extensive than 'statuæ,' taking in pictures, &c.

3. *Spargere me*] Borrowed from husbandry. So Vit. Lucian. Οὐκ ἐτι μέμνημαι ὅ τι τὸ σπειρόμενον

ἐκείνο ἦν.

4. *Sive a meo sensu*] More proof of doubt. *Supr.* c. 11. n. 16.

5. *Sapientissimi*] Sc. Pythagoras, Socrates, Academia tota. *Manut.*

6. *Ad aliquam partem*] Some of the old philosophers conceived the soul to consist of various parts or functions, among which there was one that had assigned to it the contemplation of the good actions performed in life; which explains the allusion here. Plato admitted three parts; one, by which we learn; another, feel angry; a third, are led to sensual enjoyments. The two latter die with the body. The first, possessing reason, is immortal.—*Delph.*

7. *Pudore eo quem*] Of such modesty as. 'Quem' does not relate to 'hominem.'

mari, quod summorum hominum ingeniis expetitur esse videatis: causa vero ejusmodi, quæ beneficio legis,⁹ auctoritate municipii, testimonio Luculli, tabulis Metelli comprobetur. Quæ quum ita sint, petimus a vobis, judices, si qua¹⁰ non modo humana,¹¹ verum etiam divina in tantis negotiis¹² commendatio debet esse, ut eum, qui vos, qui vestros imperatores, qui populi Romani res gestas semper ornavit, qui etiam his recentibus¹³ nostris, vestrisque domesticis periculis æternum se testimonium laudum daturum esse profiteatur, quique est eo numero, qui semper apud omnes sancti sunt habiti atque dicti, sic in vestram accipiatis fidem,¹⁴ ut humanitate vestra levatus potius, quam acerbitate violatus¹⁵ esse videatur. Quæ de causa pro mea consuetudine breviter simpliciterque¹⁶ dixi, judices, ea confido probata esse omnibus: quæ non fori,¹⁷ neque judiciali consuetudine, et de hominis ingenio, et communiter de ipsius studio locutus sum, ea, judices, a vobis spero esse in bonam partem accepta; ab eo, qui judicium exercet, certo scio.

8. *Vetustate*] 'Long standing;' alluding to the Luculli, Catulus, &c. Al. *venustate*, 'the elegance and politeness, &c.' Al. *amicorum studiis*, making both 'dignitate' and 'venustate' refer to Archias.

9. *Beneficio legis*] Sc. of Silvanus and Carbo. Cic. here recapitulates the points of his proof.

10. *Si qua*] Si often affirms, and may be rendered 'since.' Cat. i. 3. 'Si neque nox, &c.' Virg. 'Si qua pios respectant numina;' i. e. we often put cases hypothetically, not to intimate any doubt of their certainty, but to set it in a stronger light. Thus here: 'if there ought to be, &c.'—as no doubt there should. 'Si qua pios respectant numina'—as no doubt there do.

11. *Humana*] From men; 'divina,' from the gods.

12. *In tantis negotiis*] In the case

of such merits. Meritis ipsius Archiæ 'negotiis' dixit potius quum 'rebus;' quia majus quiddam in negotis quam re. Manut. Perhaps, however, 'tanta negotia' may refer to the subjects on which Archias employed his pen. Then it would be, 'where deeds of such magnitude are concerned.'

13. *His recentibus*] The Catilinarian troubles which took place within a year or two.

14. *Fidem*] Tutelam. Passer.

15. *Violatus*] For poets were 'sancti.'

16. *Breviter simpliciterq.*] Alluding to his brief and inartificial statement of the law of the case. Supr. 4. 6.

17. *Quæ non fori*] Supr. 1.

18. *Communiter*] Generally.

19. *Qui judicium*] Intro. 4.

INTRODUCTION TO THE ORATION

FOR

T. ANNIUS MILO.

1. THOUGH the oration for Milo was pronounced A. U. 701, upwards of ten years after the Catilinarian conspiracy, yet it may be properly connected with the affairs of that period.* For it was the summary punishment of the conspirators that gave Clodius a pretence to procure the banishment of Cicero, which took place A. U. 695; and this again, led to the enmity between Clodius and Milo; the latter being the zealous friend and imitator of Cicero, and, of course, the opponent of his virulent prosecutor. The orator, therefore, being called upon to defend his friend, threw the whole weight of his character and influence into the cause. ‘Bona, fortunas meas, in communionem tuorum temporum contuli.’ c. 36. This circumstance may serve to account for the extreme pains which were evidently taken in composing this, perhaps the most finished specimen of pleading of all antiquity. A concise account, then, of Clodius and Milo, the principal persons concerned, may be here premised, as a proper introduction to the oration itself.

2. The notices of P. Clodius, which appear in the history of the times, are calculated to give us a very unfavourable impression of his character. So early as A. U. 685, we find him, while serving in the army of Lucullus, during the Mithridatic war, exciting the soldiers to revolt against their general, his own brother-in-law; a revolt which, in our notice of that war, (Intro. Lex. Manil.,) we saw was but too successful. Three years after, he appears in the disgraceful character of a *prevaricator*; having, for a bribe, permitted Catiline, whom he had brought to trial for

* The Catilinarian orations which, in the order of time, follow the ‘Lex Manilia,’ are, for a reason given in the preface, transferred to the second volume.

his oppressions in Africa, to escape with impunity. *Introd. Cat. Orat. Harusp.* 20. In 691, (the year after Cicero's consulship,) that notorious profanation of the mysteries of the Bona Dea by Clodius, so often alluded to by Cic., took place; for which, being brought to trial, Cicero, at the instigation of Terentia, his wife, (who, according to Plutarch, was jealous of the sister of Clodius,) appeared as a witness against him; and thus laid the foundation of that rooted animosity which Clodius ever after manifested against Cicero. For, up to this time, Clodius was a partisan of Cicero's, and one of the young nobles that guarded his person during his consulship. It was now that the inventive genius of Clodius appeared, in procuring his own adoption into a plebeian family, in order to be qualified to stand for the tribuneship; in right of which office he saw that he could best execute his vengeance on Cicero. This he effected, *A. U.* 694, and being tribune the following year, he procured the banishment of Cicero, caused his house to be levelled with the ground, and a temple to liberty built on the area. From this period his history becomes involved in that of Milo. The riots during his tribuneship were grounds for Milo's impeaching him in the following year, 696. This disgrace—for his guilt was notorious—did not prevent him from obtaining the ædileship in 697; and from that period till his death, he persevered in his opposition to Milo and persecution of Cicero:

3. Of Milo, the defendant, we do not know even so much as of Clodius. Like Cicero, and other illustrious Romans, he left his native town, Lanuvium, where he was of the highest rank, being dictator or provost; and came to Rome to contend for the rank and honours of the state. His intimacy with Cicero makes it probable that he enrolled himself under his patronage at Rome as other young men* of rank used to do; and he may have made one of the band of friends that guarded Cicero from the attacks of Catiline. *Sull.* 18. In the various assaults made by Clodius on Cicero we find Milo active in his defence. In his tribuneship, *A. U.* 696, he accused Clodius of disturbing the public peace; but finding that the influence of the consul, Metellus, was likely to frustrate the ends of justice, he hired gladiators to oppose those of Clodius; a proceeding which Cicero (*de Off.* ii. 27) characterizes as highly to his honour. When, in turn, Clodius becoming ædile, accused Milo, he was defended by the first men in the state—Pompey, Crassus, and Cicero. We find him prætor *A. U.*

* *Ex. g.* Mark Antony. *Phil.* ii. 20. *Postea custoditus sum a te; tu a me observatus, &c.* This custom, followed up, produced the 'studiosa cohors' mentioned by Horace: hence the English 'court.'

699, and the following year candidate for the consulship with Q. Metellus, Scipio, and Plautius Hypsæus; at which time Clodius was also a competitor for the prætorship. Clodius being naturally anxious to prevent his avowed enemy from becoming consul during his own prætorship, opposed Milo with all his influence, c. 9.; and when the rancour of parties was at its greatest height, there occurred the rencontre which terminated Clodius's career.

4. To the particulars of the affray, as given by Cicero, c. 10.20, it may be added, from Asconius, that Clodius's party consisted of thirty slaves, and three knights—C. Cassinius Schola, P. Pomponius, and C. Clodius; and that Milo's train was headed by two celebrated gladiators—Eudamus and Birria, the latter of whom was the first to wound Clodius. He relates, too, that Clodius was dragged out of a tavern near Bovillæ, where he had taken refuge, and slain by the orders of Milo; differing, in this particular, from Cicero, who appeals to the situation of the ground, as being 'ante fundum Clodii,' c. 20, and therefore decisive of the question as to which of the parties was the assailant. Perhaps this was a 'retouch' of Cicero.* The dead body of Clodius, abandoned by his slaves, was found by Tedi, a senator, who conveyed it to the city late in the evening; and on the following day the mob, at the instigation of Munatius Plancus and Q. Pompey, carried it to the forum, where a scene took place which may have suggested to M. Antony his successful appeal to the populace on the death of Cæsar. The body being elevated on the rostra, the wounds were exposed to public view, and the body burned by the infuriated mob; which, headed by Sext. Clodius, a relative of Publius, committed various excesses, of such a character as to produce a reaction in the public feeling, and induce Milo to venture back again into the city, and resume his canvass for the consulship. In this he was assisted by the tribune Cælius, whom Cicero had formerly defended. The tumults continuing for several weeks, and successive interreges being unable to hold the comitia, the senate, to avoid the necessity of creating a dictator, (the last resource in public emergencies,) admitted that anomaly into the constitution, a sole consul. This was Pompey, who, created consul without a colleague, by Ser. Sulpicius, the interrex, immediately entered on the duties of his office, enacted the laws alluded to,

* It is said, that when Cicero sent Milo, then in exile at Marseilles, the corrected copy of his oration, Milo exclaimed: 'si sic egisses, M. Tulli, barbatus pisces Milo Massiliæ non ederet.' And Ascon. says that the first copy was extant in his time, and adds: 'scripsit vero hanc, quam legimus, ita perfecte, ut jure prima haberi possit.'

Mil. c. 6, raised troops to quell the disturbances, and made every preparation for bringing Milo to trial.

5. In the mean time, Milo was arraigned by the Appii, nephews of Clodius, on several minor and collateral charges, and was defended by Hortensius, Cicero, Marcellus, Cato, and others. Q. Pompey, Plancus, and Sallust, the historian, frequently harangued the mob against Milo and Cicero, but took no part in the prosecution. At length, the day of trial (the 11th April) came, and the Appii, with M. Antony and Valerius Nepos, appeared as accusers before a special commission, whose president was Domitius Ahenobarbus, and among its members, M. Cato. They were heard for two hours, (as the law directed,) and Cicero, who alone replied, for three. Milo was condemned, only thirteen out of fifty-one voting for an acquittal. Among those was Cato, who gave his vote openly, while the others voted by ballot. Milo withdrew from Rome to Massilia in Gaul. When the violence of party and the distraction of the times are considered, the lot of Milo, secluded from public cares, in the most polished provincial city in the empire, might be pronounced to be superior to that of his persecutors, did it not appear that the seeds of ambition were too deeply rooted in his heart for even exile to eradicate. Four years afterwards, he left his retreat, and joined the prætor Cœlius in an attempt upon the republic, in which he met a miserable end.

The particulars connected with the constitution of the commission, the analysis of the defence, and the different arguments by which it was supported, will be found in the annotations.

M. TULLII CICERONIS

PRO

T. ANNIO MILONE

ORATIO.

I. Etsi¹ vereor,² judices, ne turpe sit, pro fortissimo viro dicere incipientem timere, minimeque deceat, quum T. Annius ipse magis de reipublicæ salute, quam de sua perturbetur, me ad ejus causam parem animi magnitudinem³ afferre non posse; tamen hæc novi judicii nova forma⁴ terret

SECT. I.—1. *Etsi vereor*, &c.] The exordium of 'the Milo' is drawn from the accidental circumstance of the forum being guarded by armed men. This Cic. seizes upon, and while he acknowledges its generally unfavourable influence on the orator, shows that in this case, it was wholly in favour of his client. Vid. Quint. iv. 1, and xi. 3, where that great scholar descants, with all the nicety of a critic, on the articulation of this exordium.

2. *Vereor*] Expresses a respectful fear, such as Cicero's present relation to the judges inspired; 'timere,' the fear of an approaching danger, such as was menaced by the armed guards. 'Timor est metus mali appropinquantis.' Tuscul. iv. 8.

3. *Animi magnitudinem*] Cicero also employs, though rarely, 'magnanimitas.' Off. i. 43.

4. *Novi—forma*] Let us inquire here, what the ordinary form of trial was, and contrast it with this 'nova forma.' When the prætor heard causes, he was seated in his curule chair, on the tribunal in the forum or comitium, with his assessors beside him, the 'judices,' or jury, on benches beneath, and an audience of the people standing around. In this case there was a special judge and jury, and numerous military guards, under the command of Pompey, posted about the forum. Again: in the ordinary trial, the prætors appointed for the year, to hear causes, presided, with the usual assessors and judges, and without any limitation as to time. These causes were called 'quæstiones perpetuæ,' Brut. 26; but this 'novum judicium,' this extraordinary trial, was differently constituted: for Pompey, who had been

oculos: qui, quocunque inciderunt, veterem consuetudinem fori, et pristinum morem judiciorum requirunt.⁵ Non enim⁶ corona⁷ consessus vester cinctus est, ut solebat: non usitata frequentia stipati sumus. Nam illa præsidia,⁸ quæ pro templis⁹ omnibus cernitis, etsi contra vim¹⁰ collocata sunt, non afferunt tamen oratori aliquid;¹¹ ut in foro et in iudicio, quamquam præsidiis salutaribus et necessariis¹² septi sumus, tamen

nominated by the senate sole consul, as a sort of minor dictator, (Intro. 4,) enacted a law, *de vi*; with an *ex post facto* reference to the death of Clodius. By it there were appointed, (to be chosen by the suffrages of the people,) 1. A consular quæstor, instead of the ordinary prætor. 2. A bench of 'judices' amounting to three hundred, nominated by Pompey out of the senators, knights, and tribunes of the treasury. 3. An examination of witnesses, for three days, and notes taken of the evidence. 4. On the following day, a selection, by lot, out of the three hundred, of eighty-one, who were immediately to sit; and hear the prosecutors for two, and the defendant for three hours. 5. Before passing sentence, the parties were severally to reject five out of each of the three orders, leaving fifty-one to vote, sc. nineteen senators, eighteen knights, and seventeen tribunes.

5. *Requirunt*] i. e. 'Desiderant,' which some copies read. Tr. 'find the want of.' Manil. c. 2. n. 23.

6. *Non enim*] 'Enim' refers to the proximate clause, 'veterem consuetudinem fori, &c.;' and 'Nam,' in the next sentence, to the remote clause, 'hæc nova forma terret oculos.'

7. *Corona*] Sc. of the auditors assembled round the benches of the judges. Lucan, i. 320, describes the same meeting similarly:

— 'gladii cum triste minantes,
Judicium insolita trepidum cinxere
coronam. Pompejana reum clause-
runt signa Milonem.'

8. *Illâ præsidia*] Pompey's troops.

9. *Pro templis*] In front of, &c. There was a variety of temples in the view of the forum, which were opportune for posting guards. Sylv., however, prefers 'in the temples;' as 'pro æde,' 'pro tribunali;' in the temple, &c.

10. *Contra vim*] As the judges might interpret the armed guards, as placed there by Pompey, to overawe them, Cic. by this and the similar expression 'præsidiis salutaribus' intimates that it was against the Clodian mob they were directed; and that consequently the bench had no cause of fear.

11. *Non afferunt oratori aliquid*] Ern. *Nobis afferunt tamen horrois aliquid*; which seems a most exceptionable reading. For if Cic. actually felt horror at the appearance of the armed guards, no persuasion of the protection they might afford could be expected to change that feeling into the indifference expressed by 'non timere, &c.' Again, he objects to 'oratori' as being too general, and that 'mihi,' or 'nobis,' (which latter he adopts,) would be preferable. But Cic. means, that while to the generality of persons a military guard is a great security, on the public *advocate* the effect is different, owing, as he said before, to his not being surrounded by the usual gowned multitude. See, also, in the next sentence, 'oratori locum' opposed to tantam vim armorum.' This point, then, is wholly lost by reading 'nobis.'

12. *Necessariis*] And therefore

ne non¹³ timere quidem sine aliquo timore¹⁴ possimus. Quæ si opposita Miloni putarem, cederem tempori,¹⁵ iudices, nec inter tantam vim armorum¹⁶ existimarem esse oratori locum. Sed me recreat et reficit Cn. Pompeii, sapientissimi et iustissimi viri,¹⁷ consilium; qui profecto nec justitiæ suæ putaret esse, quem reum sententiis iudicum tradidisset, eundem telis militum dedere; nec sapientiæ, temeritatem concitatae multitudinis auctoritate publica armare. Quamobrem illa arma, centuriones, cohortes, non periculum nobis, sed præsidium denuntiant; neque solum, ut quieto,¹⁸ sed etiam ut magno animo simus, hortantur; neque auxilium modo defensionis meæ, verum etiam silentium pollicentur. Reliqua vero

Pompey was excusable in posting them.

13. *Ut—ne non*] ‘Ut’ has two meanings: 1. that, in order that; as inf. 2. ‘concione incitati sunt ut, &c.’ were stimulated *in order that* they might, &c. 2. (illative) ‘so that,’ as Marcel. 6. ‘Quos amisimus cives, eos Martis vis perculit, non ira victoriæ; ut dubitare debeat nemo, &c.’ *so that* none ought to doubt, &c. The first sense which some, e.g. Fabritius, have adopted here must be wrong, as it makes Cic. say ‘nihil adjumenti oratori afferunt ut omni metu vacuus esse possit,’ thus assigning no force whatever to the negative ‘ne quidem.’ The *illative* sense, therefore, must be admitted: ‘*so that*, with all the protecting guards that surround me I cannot be even devoid of fear.’

14. *Timere—timore*] Cic.’s perturbation is supposed here to have hurried him into a *paranomasia* which will hardly bear examination. The obvious construction is, ‘sine aliquo timore,’ sc. *relicto*; without some degree of fear remaining. But this is inconsistent with ‘ne—quidem—non timere.’ For that the absence of the usual audience, notwithstanding the protection of the military, prevented the orator from being even devoid of fear, is easily conceivable; but this

being the case, where is the necessity of adding that ‘some fear remained?’ This may have led Manut. to explain it: ‘licet optime sciat sibi timendum non esse;’ i. e. ‘without having any cause of fear.’ ‘Timor’ for ‘causa timoris’ is common. Propert. iii. 5. 40. Et audaci timor esse potes. Ovid. Fast. i. 551; and ‘aliquis,’ in the sense of ‘ullus,’ is found in this very sentence, as also, Marcel. 1. ‘non timore aliquo;’ not from *any* fear. With this explanation too, the succeeding clauses harmonize, ‘quæ si opposita, &c.’ and ‘quamobrem illa arma, &c.’ both of which suppose that no real ground of fear existed. Forcel. however explains: ‘ne esse quidem sine, &c.’ i. e. he makes ‘esse’ the substitute for ‘non timere.’

15. *Cederem tempori*] Abram. considers this the political maxim, ‘tempori serviendum.’ Cat. i. 9. Temporibus reip. cedas.

16. *Vim armorum*] ‘Vis’ here means, ‘quantity,’ not ‘violence.’ Abram.

17. *Pompeii—viri*] Cic. wishes to conciliate Pompey by these complimentary expressions.

18. *Quieto*] For the fear inspired by the ‘nova forma’ was banished by a proper consideration of the motives of Pompey in posting the

multitudo, quæ quidem est civium,¹⁹ tota nostra est : neque eorum quisquam, quos undique intuentes, unde aliqua pars fori aspici potest, et hujus exitum²⁰ judicii exspectantes videtis, non quum virtuti Milonis favet, tum de se, de liberis suis, de patria, de fortunis hodierno die decertari putat.

II. Unum genus est adversum infestumque nobis eorum, quos P. Clodii furor rapinis,¹ incendiis, et omnibus exitiis publicis pavit : qui hesternæ² etiam concione incitati sunt, ut vobis voce præirent, quid judicaretis.³ Quorum clamor si qui forte fuerit, admonere vos debet, ut eum civem retineatis, qui semper genus illud⁴ hominum, clamoresque maximos pro vestra salute neglexit.⁵ Quamobrem adeste animis,⁶ judices, et timorem, si quem habetis, deponite. Nam si unquam⁷ de bonis et fortibus viris, si unquam de benemeritis civibus potestas vobis judicandi fuit ; si denique unquam locus amplis-

guards.

19. *Qua quidem est civium*] At least as far as it is composed of citizens ; 'quidem' for 'certe.' So Acad. iv. 5. Non video causam cur ita sit, hoc quidem tempore ; at least at present. Cic. hints either that the Clodians, who were present, were not citizens, or that slaves formed part of that faction. Inf. 2.

20. *Exitum judicii*] It is a part of Cicero's art to identify the issue of any cause in which he was engaged with the common safety. The reason is obvious.

SECT. II.—1. *Rapinis*] The outrages of Clodius are enumerated by Cic. in his several orations. He had plundered the treasury, sold provinces, burned the house of Q. Cicero, and the temple of the nymphs ; and, by means of his gladiators, kept up perpetual alarm in the city. Inf. 27. 32.

2. *Qui hesternæ, &c.*] Munat. Plancus Bursa, a tribune of the people, in a speech made the day before this trial, had exhorted the people not to let Milo escape with impunity.—He was afterwards condemned, along with Sext. Clodius, and banished.—

Being restored by Cæsar, he joined the party of Antony. Phil. xi. 6.—We must not confound him with L. Plancus, consul elect, and colleague of Decimus Brutus, for a long time after Cæsar's death the supporter, and, finally, the betrayer of the cause of the senate. Vid. Cicero's correspondence with him ; Fam. x., or Hooke x. 14. 15.

3. *Quid judicaretis*] i. e. Judicare deberetis. Ern. Inf. 26. Ut intelligatis contra hesternam concionem illam, licere vobis quod sentiat, judicare. Manut.

4. *Genus illud*] So Hor. 'Hoc genus omne.' It seems to convey contempt.

5. *Semper—neglexit*] Sc. in his tribuneship ; five years before this time.

6. *Adeste animis*] i. e. 'Pay attention ;' like 'favete linguis.' Hor.—Sull. 11. Adestote omnes animis qui adestis corporibus. 'Animis' is the abl.

7. *Nam si unquam, &c.*] This argument, drawn from the occasion, is imitated from Dem. Olyn. i. 2. 'Ο μὲν ἔν παρὼν καιρὸς μονοερχί λέγει φωνήν ἀφιεῖς, &c. So, also, Olyn. iii. 6. Τίνα γὰρ χρόνον, &c.

simorum ordinum⁸ delectis viris datus est, ubi sua studia erga fortes et bonos cives, quæ vultu et verbis sæpe significassent, re et sentiis⁹ declararent: hoc profecto tempore eam potestatem omnem vos habetis, ut statuatis,¹⁰ utrum nos, qui semper vestræ auctoritati dediti fuimus, semper miseri lugeamus, an diu vexati a perditissimis civibus, aliquando per vos, ac per vestram fidem, virtutem, sapientiamque recreemur. Quid enim nobis duobus,¹¹ iudices, laboriosius?¹² quid magis sollicitum, magis exercitum dici aut fingi potest? qui spe amplissimorum præmiorum¹³ ad rempublicam adducti, metu crudelissimorum suppliciorum carere non possumus? Equidem¹⁴ ceteras tempestates et procellas in illis duntaxat¹⁵ fluctem,

Abram.

8. *Ampliss. ordinum*] Aurelius Cotta, prætor in the first consulship of Pompey, enacted that the 'iudices' should be selected from the senators, knights, and tribunes of the treasury. This law Pompey, in his second consulship, amended, by adding, that the wealthiest of those orders should be chosen. Pompeius in coss. secundo, promulgavit ut amplissimo ex censu lecti iudices æquè ex illis tribus ordinibus res judicarent. *Ascon.* What the census (which was defined Phil. i. 8. 'census præfiniebatur,') was, does not appear. On this occasion he had selected the judges from the regular orders, and the most respectable of those orders.

9. *Re et sentiis*] Namely, by acquitting them. 'Re' opposed to 'vultu,' and 'sentiis' to 'verbis.'

10. *Ut statuatis, &c.*] Cic. seeks to interest the feelings of his judges in the fate of Milo; 1. by putting him on a par with himself, an acknowledged patriot; 2. by testifying his constant deference to their authority; 3. by the modesty of his petition, which only sought encouragement for himself, not vengeance on his enemies. The words, too, are appropriate and complimentary: 'fidem,' the honour of a judge; 'virtu-

tem,' the firmness necessary to meet the audacity of the Clodians; and 'sapientiam,' the wisdom to counteract the rashness of the mob. *Abram.*

11. *Nobis duobus*] Abl. depending on 'magis, &c.' not the dat. as Dunc.

12. *Laboriosius*] Schooled in toil. This word, as also 'sollicitum' and 'exercitum,' is used here in a passive sense. So *Æn.* ix. 89. Sollicitam timor anxius angit. iii. 182.—nate Iliacis exercite fatis.

13. *Præmiorum*] Sc. the offices of the state. Cic. was of consular rank, and Milo a candidate-consul. The contrast between 'spe ampl. præmiorum,' and 'metu crudel. suppliciorum,' while it shows their dis-appointment, lays claim to a higher degree of pity from the audience.

14. *Equidem*] i. e. 'Ego—quidem;' I, for my part, as far as I am concerned. The few instances where this word is not followed by verbs in the first person, are of so doubtful authority, or so easily explained by supplying ellipses, &c. that they may be disregarded in consideration of the force and emphasis which the above resolution imparts, wherever 'equidem' occurs.

15. *Duntaxat*] i. e. 'Dum-taxat;' or 'dum-taxet,' sc. *aliquis*; provided one considers. Hence it expresses a

tibus concionum¹⁶ semper putavi Miloni esse subeundas, quod semper pro bonis contra improbos senserat : in iudicio vero, et in eo consilio, in quo ex cunctis ordinibus amplissimi viri iudicarent, nunquam existimavi spem ullam esse habituros Milonis inimicos, ad ejus non salutem modo exstinguendam, sed etiam gloriam per tales viros infringendam.¹⁷ Quamquam¹⁸ in hac causa, iudices, T. Annii tribunatu, rebusque omnibus pro salute reipublicæ gestis, ad hujus criminis defensionem non abutemur,¹⁹ nisi²⁰ oculis videritis insidias Miloni a Clodio factas : nec deprecaturi sumus, ut crimen hoc nobis multa propter præclara in rempublicam merita²¹ condonetis : nec

limitation ; so far and no farther. 'Duntaxat fluctibus concionem, &c.' then, is contrasted with 'in iudicio, &c.' Cic. expected Milo to be tossed by the winds amidst the billows of popular assemblies, because he had merited the resentment of the mob ; but he thought that his troubles should end there ; nor that his enemies would have any hopes, &c.

16. *Fluctibus concionum*] So pro Muren. 17. Quod enim fretum, quam Euripum tot motus, tantas, tam varias habere putatis agitationes fluctuum ; quantas perturbationes et quantos æstus habet ratio comitorum.

17. *Exstinguendam—infringendam*] Ὁμοιοῦλετον. Quint ix. 3.

18. *Quamquam*] When this word is used absolutely it refers to a suppressed proposition which may, in every case, be supplied from the preceding sentence. Thus here :— 'Although Milo has every thing to expect in a trial before his fellow-citizens, because he always opposed the bad in favour of the good ; yet shall we not, &c.' It is used with peculiar propriety when the writer wishes to correct an unguarded admission.—Inf. 30. Cat. i. 9, and iii. 12. Its proper translation then is, 'and yet.' Habit, however, has nearly caused the classical student to overlook the absurdity of rendering it in such cases, 'although.' Here Cic. had alluded to the public services of Milo, and ex-

pressed his surprise at his enemies hoping to foil him before judges, whose authority he had always supported ; lest, however, he might seem to rest his cause on this, or admit the inference, that because Milo had saved the city, Milo might therefore slay the citizens with impunity : he corrects himself, and adds that he will not so apply Milo's patriotic actions ; at least before he shall have established the fact of Clodius being the aggressor.

19. *Abutemur*] 'Abutor' is often taken 'in bonam partem' to mean 'the applying a thing to one's own purpose contrary to the natural use or original intention.' Fam. ix. 6. So here : the public services of Milo were performed with the view of gaining the esteem of his countrymen, not of shielding himself against a criminal charge. Cic., however, ('abutetur') will avail himself of these services in the latter sense provided, &c.

20. *Nisi*] 'Unless first, i. e. until. As soon as you shall have been fully convinced that Clodius was the aggressor, I will enter on a statement of Milo's public services, but not till then.' Cic. thus intimates his full confidence in the goodness of his cause, and the certainty of his triumph.—Still it may be asked, why enter on that statement at all ? Does not Cic. say, inf. c. 11, that the sole question is 'uter utri insidias fecerit ?' Why,

postulaturi,²² ut, si mors P. Clodii salus vestra fuerit, idcirco eam virtuti Milonis potius, quam populi Romani felicitati²³ assignetis. Sed si illius insidiæ clariores hac luce fuerint, tum denique obsecrabo obtestaborque vos, iudices, si cetera amisimus, hoc saltem nobis ut relinquatur, ab inimicorum audacia telisque vitam ut impune liceat defendere.

III. Sed, antequam ad eam orationem venio, quæ est propria¹ vestræ quæstionis,² videntur ea esse refutanda,³ quæ et in senatu ab inimicis sæpe jactata sunt, et in concione ab

then, dwell on the public conduct of either party? Cic. was fully aware that the discussion was irrelevant; but, like an able advocate, looking not to what was strictly called for, but what might best serve his client, he here left room for availing himself of the effect which an eloquent statement of the public merits of Milo, and crimes of Clodius, might produce on the judges. His proposition then, is: Clodius was justly slain, whether as being an intended assassin, or as being the scourge and ruin of his country. The former point, which occupies from c. 12. to c. 27, he calls 'de causa;' the latter, from c. 27. to 34, he calls 'extra causam.' It is worthy of remark, that the 'extra causam' head was, as we learn from Ascon., the principle adopted by M. Brutus, in a defence of Milo, published by him, but which Cic. thought it hazardous to rest his defence on solely, namely 'interfici Clodium pro republica fuisse. Orel. following Garaton., Peyron., Heum., &c., begins a new sentence with 'nisi;' but, as nothing is gained by this in clearing the difficulty, the usual punctuation has been retained. 'Nec deprecaturi, &c.—nec postulaturi, &c.,' agreeably to Cicero's manner, are an amplification of, and nearly synonymous with 'Non abutemur—rebus pro salute reip. gestis.'

21. *Merita*] Vid. inf. 12. 23, where the services of Milo are alluded to in terms of the highest eulogy.

22. *Nec postulaturi*] The killing of Clodius being a public benefit, Milo might have urged this as his motive; Cic., while he admits the beneficial result, will not adduce that argument as long as it may be doubted whether the merit of it belongs to the fortune of the Roman people, or the courage of Milo. Phil. ii. 50. Sustulit illum diem fortuna, &c.—This very doubt, it will be observed, is most complimentary to Milo.

23. *Pop. Rom. felicitati*] This is fully dilated on inf. 30. 33. Sed hujus beneficii gratiam, &c.

24. *Sed si illius, &c.*] i. e. Sed si oculis videritis insidias illius [ab illo factas] tum, &c. Cic. thus varies in the minor the hypothetic statement 'nisi oculis, &c.' sup. ; as also the inference, which ought to be: 'then will I have recourse to Milo's services, &c. ;' whereas it is: 'then will I implore you to leave untouched the principle of self-defence.' These two inferences comprise the entire defence, both 'de causa' and 'extra causam.' Sup. n. 20.

SECT. III.—1. *Quæ est propria*] Sc. 'Uter utri insidias faceret?' in opposition to the 'extra causam' argument. Vid. prec. n.

2. *Quæstionis*] 'A public trial,' so called 'a quærendo,' because the guilt or innocence of the accused was therein inquired into.

3. *Ea refutanda*] These *præjudicia*, whose refutation is properly prefixed to the general defence, were

improbis, et paullo ante⁴ ab accusatoribus: ut, omni errore sublato, rem plane, quæ venit in iudicium, videre possitis. Negant⁵ intueri lucem esse fas ei, qui a se hominem occisum esse fateatur. In qua tandem urbe hoc homines stultissimi disputant? Nempe in ea, quæ primum iudicium⁶ de capite vidit M. Horatii, fortissimi viri; qui, nondum libera civitate, tamen populi Romani comitiis⁹ liberatus est, quum sua manu sororem esse interfectam fateretur. An est quisquam, qui hoc ignoret, quum de homine occiso quæretur, aut negari solere omnino esse factum, aut recte ac jure factum esse defendi? Nisi vero¹⁰ existimatis, dementem¹³ P. Africa-

three: 1. 'Negant intueri—fateatur;' that an avowed homicide was unworthy of life. 2. 'Sequitur—esse factum, c. 5;' that the senate had already decided the cause against Milo. 3. 'At enim Cn. Pomp.—fuit. c. 6;' that Pompey, by his law, declared his belief of Milo's guilt. On the propriety of the orator refuting these *præjudicia* before he proceeds to the narration, vid. Quint. iv. 2, who remarks, 'that by preparing the judges for the reception of the case, they virtually constitute an exordium.

4. *Paullo ante, &c.*] Tum intra horam secundam accusatores cœperunt dicere Appius Major, et M. Antonius et P. Valerius Nepos. *Ascon.* So 'paullo ante' is, the preceding two hours. *Introd.* 5.

5. *Negant, &c.*] Vid. penult. n.

6. *Primum iudicium*] 'Primum' does not mean that there had not been previous trials, and even capital trials; but these 'the city did not see as a city.' They were decided by the kings or their deputies. But this was the *first* trial for homicide where the people were called on to decide, and they acquitted. *Diony.* lib. iii.

7. *M. Horatii*] The story of Horatius, who slew his own sister for mourning over the fate of her lover, one of the Curatii, whom he had just

slain, is given by Livy, i. 26.

8. *Nondum libera*] And, therefore, more unlikely to be influenced by popular feeling in their decision.

9. *Comitiis*] Sc. *curiatis*. It was held in the Comitium; for the comitia for the election of magistrates did not yet exist; and when it did, was held in the Campus Martius.

10. *Nisi vero*] Used in the beginning of a sentence for transition. It frequently introduced an indirect proof. Thus, from the true premiss, that Africanus held the justice of Gracchus's fate; and the opposite of the question, no wise man holds homicide justifiable, he deduces the manifestly false conclusion, 'dementem P. Africanum fuisse.' Therefore wise men do hold homicide justifiable.

13. *P. Africanum*] Sc. *Minorem*. He was called 'Æmilianus,' from P. Æmilius Macedonicus, by whom he was adopted; and 'Numantinus,' from destroying Numantia, in Spain. The occurrence alluded to by Cicero took place after his return from Spain when Carbo was proposing a law that there should be no restriction on the re-election of tribunes. This Scipio opposed in a speech, wherein he asserted that Tiberius Gracchus, who was his own brother-in-law, deserved his fate. *Liv. Epit.* lix.

num fuisse, qui, quum a Carbone,¹⁴ tribuno plebis, in concione seditiose¹⁵ interrogaretur, quid de Ti. Gracchi¹⁶ morte sentiret, respondit, jure cæsum videri. Neque enim posset aut Ahala ille Servilius,¹⁷ aut P. Nasica,¹⁸ aut L. Opimius,¹⁹ aut C. Marius,²⁰ aut, me consule,²¹ senatus non nefarius haberi, si sceleratos cives interfici nefas esset. Itaque hoc, judices, non sine causa etiam fictis fabulis doctissimi homines²² memoriæ prodiderunt, eum²³ qui patris ulciscendi causa ma-

14. *C. Carbone*] Cic. adds, 'tribuno plebis,' for he was afterwards consul, A. V. 632; and defended by his eloquence the very Opimius who had slain his friend, C. Gracchus. De Orat. ii. 35. 'C. Carbo, consul nihil de C. Gracchi nece negabat, sed id jure pro salute patriæ factum esse dicebat.' He soon after poisoned himself, either through remorse, or to avoid the consequences of an accusation brought against him by the celebrated orator L. Crassus. De Orat. ii. 40.

15. *Seditiosè*] Val. Max. vi. 2, informs us, that Carbo, when he was exciting the people to revenge the death of C. Gracchus, hoped to be assisted in attaining this object by the weight and authority of Africanus, the husband of Sempronia, the sister of the Gracchi, who he imagined could not avoid speaking in favour of his brother-in-law. He therefore dragged Scipio to the forum, before he had well entered the city, and put to him the interrogation in the text. This account is to be preferred to Livy's (vid. n. 13) as it explains the force of the word 'seditiose;' sc. 'with a factious view.'

16. *Ti. Gracchi*] Livy, Epit. lviii., says, 'that when Ti. Gracchus, who had excited several seditions during his first tribuneship, wished to obtain a second; at the instigation of P. Nasica, he was slain by the nobles, and his body flung into the Tiber.'

17. *Ahala Servilius*] Connect with him Sp. Mælius, a Roman

knight, whose largesses of grain to the people, during a famine, raised suspicions of his entertaining tyrannical views; and whom he slew, by the direction of Cincinnatus, the dictator. Liv. iv. 14.

18. *P. Nasica*] When M. Scævola, the consul, was unwilling to second the views of the senate against Tib. Gracchus, Nasica, then Pontifex Max. called out, 'Qui remp. salvam esse volunt me sequantur;' eaque voce, says Valerius Max., cunctatione bonorum discussa, Gracchum cum scelerata factione, quas merebatur pœnas persolvere cœgit. Lib. iii. 17.

19. *L. Opimius*] Consul, A. V. 632, slew C. Gracchus. Liv. Epit. lxi.

20. *C. Marius*] With him may be connected Saturninus, another of Cicero's standard precedents for committing murder: Saturninus, however, deserved his fate, being himself an assassin. He was a creature of Marius, by whom he was encouraged to violate the laws, and then surrendered to the fury of his enemies. Vid. Rabir. perduel. reo, where the particulars of his fate are given.

21. *Me consule*] Lentulus, Cethegus, &c. suffered in Cic.'s consulship.

22. *Doctissimi homines*] Sc. the poets; who, in the opinion of Plato, were the parents of wisdom. Ὅντοι γὰρ ἡμῖν ὡς περ πατέρες τῆς σοφίας ἱσοὶ καὶ ἡγεμόνες. Abram.

23. *Eum*] Orestes. His story was a copious theme for the Greek

trem necavisset, variatis hominum sententiis,²⁴ non solum divina,²⁵ sed etiam sapientissimæ Deæ sententia liberatum. Quod si duodecim²⁶ tabulæ nocturnum furem, quoquo modo,²⁷ diurnum autem, si se telo defenderit, interfici impune voluerunt: quis est, qui, quoquo modo quis interfectus sit, puniendum²⁸ putet, quum videat aliquando²⁹ gladium nobis ad occidendum hominem ab ipsis porrigi³⁰ legibus?

IV. Atqui si tempus est ullum jure hominis necandi, quæ multa sunt; certe illud est non modo justum, verum etiam necessarium, quum vi vis illata defenditur. Pudicitiam quum eriperet militi¹ tribunus² militaris in exercitu C. Marii, propinquus ejus imperatoris, interfectus ab eo est, cui vim afferebat.

dramatists. Vid. Eurip. Orest.; Soph. Elect., and Æschy. Eumen.

24. *Variatis hominum sententiis*] i.e. 'The votes of the Areopagites being different;' some for, others against. Æschylus, in the Eumenides, informs us, that the votes (which his scholiast makes thirty-one) were rendered equal by the vote of the goddess, the previous numbers being sixteen for condemning, and fifteen for acquitting: The 'Eumenides' accounts also for Orestes, an Argive, being tried before an Athenian tribunal; for, by the advice of Apollo, he was referred from Delphi, where the furies had beset him for the murder of his mother, to the temple of Minerva at Athens; i. e. to the court of Areopagus. Demosthenes, it may be observed, followed a different account; for he makes the gods the judges; of whom six condemned and five acquitted; the accused was saved by the vote of Minerva. Cic. followed Æschylus, as suiting better the drift of his argument. Vid. Potter. G. A. i. 19.

25. *Non solum divina*] Sc. that of any other deity.

26. *Duodecim*] Livy iii. 31. 35, relates that, A. U. 299, Manlius, Sulpicius, and Posthumius, were sent to Greece with a commission to col-

lect laws. On their return, the 'decemviri,' out of the laws which had been collected, at first framed ten tables, which received the sanction of the people; and subsequently, two more were added; forming, as he observes, in his time, after all the accumulation of laws upon laws, 'fons omnis publici privatique juris.'—Macrob. Saturn. i., gives the phrase alluded to: 'Si nox furtum factum sit, si im aliquis occisit, jure cæsus esto. Vid. Hor. Ep. ii. l. 23. Quint. v. 14.

27. *Quoquo modo*] i.e. 'Whether he defended himself or not;' in opposition to 'si se telo defenderit.' There was no exception in the case of the nightly marauder. 'Quoquo modo' inf. is 'whether in the right or not.'

28. *Puniendum*] Used impersonally; 'it must be visited with punishment.'

29. *Aliquando*] Ποτέ; sometimes, occasionally.

30. *Porrigi*] 'Porrigo,' sc. Πόρρω ὀρέω; I stretch forward.

SECT. IV.—1. *Mil.*] Called Trebonius by Plut., Cælius Plotius by Val. Max.

2. *Tribunus*] C. Lusius, a nephew of Marius. The conduct of Marius on this occasion gained him his third consulate. Plut. in

Facere enim probus³ adolescens periculose,⁴ quam perpeti turpiter maluit. Atque hunc ille summus vir, scelere solutum, periculo liberavit. Insidiatori vero et latroni⁵ quæ potest inferri injusta nex? Quid comitatus nostri, quid gladii volunt?⁶ quos habere certe non liceret, si uti illis nullo pacto liceret. Est enim hæc, judices, non scripta, sed nata lex;⁷ quam non didicimus, accepimus, legimus, verum ex natura ipsa arripuimus, hausimus, expressimus; ad quam non docti, sed facti; non instituti, sed imbuti sumus: ut, si vita nostra in aliquas insidias, si in vim, si in tela aut latronum, aut inimicorum incidisset, omnis honesta ratio esset expediendæ salutis. Silent enim leges inter arma,⁸ nec se exspectari jubent, quum ei, qui exspectare velit, ante injusta poena luenda sit, quam justa repetenda. Etsi⁹ persapienter, et quodammodo tacite, dat ipsa lex potestatem defendendi; quæ non [modo] hominem occidi, sed esse cum telo hominis occidendi causa vetat: ut, quum causa,¹⁰ non telum quæreretur, qui sui defendendi causa telo esset usus, non hominis occidendi causa habuisse

Mar. 14. Val. Max. vi. 1.

3. *Probus*] Chaste, virtuous.—Sall. Cat. 26. Saltare elegantius quam necesse est *proba*.

4. *Periculose*] For Lusius had slain his superior officer, and the nephew of Marius.

5. *Latroni*] ‘Latro’ being here joined with ‘insidiatori,’ (seems to determine its origin, sc. *lateo*; not as Varr. *latus*, (a side) nor as Fest. *λατρεία*. Vid. inf. 21, and xii. 7. From signifying marauders, it came to stand for mercenary soldiers, a hired body-guard.

6. *Comitatus—gladii volunt*] For arms were permitted to be carried during a journey. Marc. Dig. *Abram*.

7. *Non scripta—lex*] Soph. Antig. 459. ἄγραπτα κάσφαλῇ θεῶν Νόμιμα. Dem. de Cor. 83. ἡ φύσις αὐτῇ τοῖς ἀγράφοις νομίμοις—διώρι-
κεν. Vid., also, Or. 49. and Quint. ix. 3, where this passage is quoted, to illustrate some of the niceties of composition.

8. *Silent leges inter arma*] Vid. Manil. c. 20. n. 4, where this sen-

timent is attributed to Marius; also, Phil. i. 10. ‘Armis gesta nunquam profecto in iudicium vocabuntur.’

9. *Etsi*] A correction; as if he said, ‘Though why say the laws are silent amidst arms, when in their silence they sanction the principle of self-defence; by not barely forbidding homicide (‘non modo, &c.’) which they do as a matter of course, but also to carry arms with a hostile intention: the obvious inference from which was, that they might be carried if that intention did not exist. This Cic. calls ‘dat tacite potestatem defendendi.’ Orel., however, erases *modo*. A sight of the law in question (lex Cornelia de sicariis) could alone determine which is right.

10. *Ut quum causa, &c.*] i. e. That the law by questioning the *motive*, not the *fact* of carrying arms, decided that whoever had employed his arms in self-defence was justified in so doing. This Cic. expresses negatively, by saying, that ‘he was considered in the eye of the law not to have carried arms with a hostile intention.

telum judicaretur. Quapropter hoc maneat¹¹ in causa, iudices; non enim dubito, quin probaturus sim¹² vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem jure interfici posse.

V. Sequitur illud,¹ quod a Milonis inimicis sæpissime dicitur, cædem, in qua P. Clodius occisus est, senatum judicasse, contra rempublicam esse factam. Illam vero senatus, non sententiis suis solum, sed etiam studiis comprobavit.—Quoties enim² est illa causa a nobis acta in senatu! Quibus assensionibus universi ordinis, quam nec tacitis, nec occultis! quando enim frequentissimo senatu quattuor, aut [ad] summum quinque sunt inventi, qui Milonis causam non probarent? Declarant³ hujus ambusti⁴ tribuni plebis illæ intermortuæ⁵

11. *Hoc maneat*] Cic. conceives that he has now fully established the legality of homicide in self-defence, and thus refuted the first 'præjudicium.'

12. *Probaturus sim*] Make good to you, &c.

SECT. V.—1. *Sequitur illud*] The second 'præjudicium.' Supr. c. 3. n. 3. The decree was expressed in general terms, but admitted of a particular application. It required only to supply 'a Milone' after 'Cædem—esse factam,' as not long before 'a Saturnino' was added to a similar decree, and Milo might expect the fate of Saturninus; and this the opponents of Milo did. Cic., therefore, contends for the general interpretation, and shows that in the various debates which had taken place in the senate since the death of Clodius, Milo's cause was invariably triumphant (Quoties—probarent);—that the charge against the senate of submitting to his (Cicero's) dictation and not their own judgment, (Declarant, &c.,) proved the strength of Milo's cause in the senate, and therefore that that body could never have intended to condemn Milo by the decree (Hanc vero, &c.)—Besides, that the decree was expressed in the form usual in the case of public dis-

turbances, e. g. the burning of the senate-house, &c., and was voted by him, as no doubt it was by others too, as a condemnation of the fact, without deciding with whom the guilt lay. (Cur igitur, &c.) This clears the second 'præjudicium.'

2. *Quoties enim, &c.*] Inf. 35, he says, 'Centesima lux est hæc ab interitu Clodii, et altera;' a period which admitted of various discussions of the question in the senate. Ern., removing the interrogation, explains it, 'as often as, &c.'

3. *Declarant*] Sc. how fully the senate approved of Milo's conduct.

4. *Ambusti*] Persons scorched with lightning were called 'ambusti,' as Fabius Ambustus. Cic. applies the term to Munat. Plancus, from his being scorched in the conflagration of the senate-house, which took place on the burning of Clodius's body. *Ascon.* Ern. conjectures an allusion to some trial in which Plancus had with difficulty escaped; others to Fabius Ambustus, to whose character his presented a striking contrast.

5. *Intermortuæ*] Interruptæ incendio curiæ. *Manut.* But as only one harangue of Plancus was so interrupted, whereas, these were pronounced 'quotidie,' it appears better to interpret the word literally,

conciones, quibus quotidie meam potentiam invidiose⁶ criminabatur, quum diceret, senatum, non quod sentiret, sed quod ego vellem, decernere. Quæ quidem si potentia est appellanda potius quam, aut propter magna in rempublicam merita, mediocris in bonis causis auctoritas, aut, propter hos officiosos labores⁷ meos, nonnulla apud bonos gratia; appelletur ita sane, dummodo ea nos utamur pro salute bonorum contra amentiam perditorum. Hanc vero quæstionem, etsi non est iniqua, nunquam tamen senatus constituendam putavit.—Erant enim leges,⁸ erant quæstiones,⁹ vel de cæde, vel de vi: nec tantum mœrorem ac luctum¹⁰ senatui mors P. Clodii afferebat, ut nova quæstio constitueretur. Cujus enim¹¹ de illo incesto stupro judicium decernendi¹² senatui potestas esset erepta, de ejus interitu, quis potest credere, senatum judici-

‘just dying,’ (inter mortem,) ‘almost past and gone.’ They were loud, and loudly praised while Clodius’s death was recent, but were now fast sinking into oblivion. So Muren. 7. ‘Memoriam prope intermortuam generis sui, virtute renovari;’ nearly extinct. Others, however, render it ‘languid, feeble;’ Guthr. ‘dark!’

6. *Invidiose*] For it was holding up Cic. to public odium, to represent him as the tyrant of the senate.

7. *Officiosos labores*] ‘Official labours;’ namely, as a patron and an advocate. So Tusc. iii. 8, ‘dolor officiosus,’ i. e. quem ratio officii postulat. Ern. Hor. Ep. i. 7. 46, causisque Philippus agendis Clarus, ab officiis, &c.

8. *Leges*] E. g. The Cornelian ‘de sicariis,’ the Lutatian, ‘de vi.’ Cœl. 1.

9. *Quæstiones*] Sc. ‘perpetuæ,’ which had each, by Sylla’s appointment, their proper judge; whereas, Milo’s was a special commission, the very appointment of which operates against him, by giving an undue importance to the affair. Vid. c. i. n. 4.

10. *Mœrorem—luctum*] ‘Mœror’ is a bursting sorrow (‘ægritudo flebilis.’ Tusc. iv. 8,) and ‘luctus’

the expression of it in loud lamentation. Hence they are here fitly joined, as being produced by death (mors afferebat).

11. *Cujus enim de illo, incesto, &c.*] ‘De stupro cujus—de interitu ejus’ are opposed. Clodius, in order to carry on an intrigue with Pompeia, the wife of Julius Cæsar, had gained admittance, in disguise, to Cæsar’s house, where the mysteries of the Bona Dea were celebrating. He was detected, however, but in the confusion effected his escape. Cic. calls the intrigue ‘incestus,’ as polluting those sacred rites, at which males were forbidden to appear. Harus. 5. ‘Ea sacra quæ viri oculis, ne imprudentis quidem, aspici fas est.’ Juvenal goes farther still: ‘Ubi velari pictura jubetur, Quæcunque alterius sexus imitata figuram est.’

12. *Judicium decernendi*] Appointing a trial; not as Dunc. ‘passing sentence.’ Nor does ‘potestas erepta’ mean that such force was resorted to, as prevented the senate from any interference in the cause; for Cicero informs us, Att. i. 13, that the affair was, by a decree, referred to the ‘pontifices;’ and by them declared a sacrilege; and that

um novum constituendum putasse? Cur igitur incendium curiæ,¹³ oppugnationem ædium M. Lepidi,¹⁴ cædem hanc ipsam, contra rempublicam senatus factam esse decrevit?—Quia nulla vis unquam est in libera civitate suscepta inter cives non contra rempublicam. Non enim est illa¹⁵ defensio contra vim unquam optanda: sed nonnunquam est necessaria. Nisi vero¹⁶ aut ille dies, quo Ti. Gracchus¹⁷ est cæsus, aut ille, quo Caius, aut quo arma Saturnini oppressa sunt, etiamsi e republica,¹⁸ rempublicam tamen non vulnerarunt.

VI. Itaque ego ipse decrevi,¹ quum cædem in Appia factam esse constaret, non eum, qui se defendisset, contra rempublicam fecisse; sed, quum inesset in re vis et insidiæ, crimen iudicio reservavi, rem notavi.² Quod si per furiosum³ illum tribunum senatui, quod sentiebat, perficere licuisset, novam quæstionem nunc nullam⁴ haberemus. Decernebat enim, ut veteribus legibus, tantummodo extra ordinem, quæreretur.

the consuls proposed a bill to the people, by which the prætor was empowered to select assessors to try the cause. This bill, it appears, was, by the influence of the Clodian faction, headed by the tribune Fulvius, prevented from passing, and an amended bill substituted; according to which, judges, selected partly by the prosecutors, partly by the accused, were to preside. Out of these Clodius obtained a majority, and thus defeated the ends of justice. This Cic. calls 'iudicium decernendi, &c.—erepta.'

13. *Incendium curiæ, &c.*] These three points Cic. joins together, as being comprised in one decree; because, says the Delph., several decrees might not be made on the same day.

14. *Ædium M. Lepidi*] Two days after the death of Clodius, Lepidus was declared Interrex. The factions of Scipio and Hypsæus, with a view to force on an immediate election, attacked his house, insulted his wife, Cornelia, and even tore her webs out of the looms; but falling in with the rival faction of Milo, they were compelled to desist. *Aseon.*

15. *Est illa*] Δεικτικῶς—sc. the self-defence which Cic. is maintaining. *Al. ulla.*

16. *Nisi vero*] 'Unless indeed, &c.' which it is absurd to assert; the loss of citizens, however abandoned, being still a loss. The usual indirect argument. Supr. c. 3. n. 10.

17. *Ti. Gracchus*] Supr. c. 3. n. 16; and for Caius and Satur. n. 19 and 20.

18. *E republica*] For the interest of the republic; κατὰ τὴν πόλιν. Phil. iii. 12. 'Senatus consultis bene et e republica factis, reliquas res ad prædam revocavit.'

SECT. VI.—1. *Ego ipse decrevi*] Ego sic statuo. *Græv.*;—my own vote was.

2. *Rem notavi*] Inf. 11. Senatus rem, non hominem notavit.

3. *Furiosum*] The usual epithet of the tribunes, implying that their occupation was to excite the people to acts of violence. The tribune referred to was M. Plancus.

4. *Novam—nullam*] What then? 'Quod [senatus] sentiebat,' a trial by the old laws, but out of the usual routine. This was the purport of the second decree, the first having merely

*Divisa sententia*⁵ est, postulante nescio quo; nihil enim necesse est omnium me flagitia proferre. Sic reliqua auctoritas senatus⁶ empta intercessione sublata est. At enim⁷ Cn. Pompeius rogatione sua et de re et de causa judicavit. Tu-

declared, 'cædem factam esse contra remp.'

5. *Divisa sententia*] When a motion comprehended two or more particulars, any senator could have them put separately, simply by saying, 'divide.' *Ascon.* Here the points were: 1. 'ut veteribus legibus quæreretur; 2. 'ut extra ordinem quæreretur.' Fusius, a senator, demanded (postulante nescio quo) that these points be put to the vote separately; thus enabling Plancus, the Clodian tribune, to interpose his negative to the first, and, to his party, the only obnoxious clause—'ut veteribus legibus quæreretur.' For to the second clause, the Clodians had no objection, as it merely expedited the trial of Milo. Why they objected to the first clause does not appear. Perhaps the appointment of 'judices,' which, according to the old laws, were selected by the prætors out of the regular judicial *decuries*, was conceived to be unfavourable to them; and that they preferred the 'judices editii,' (*Muren.* 23, and *Planc.* 17.) i. e. a jury, in whose appointment the right of challenge by the parties was recognised; and which, on the trial for sacrilege, noticed *supr.* c. 5. n. 12, it had been found easy to corrupt. Certainly this conjecture is countenanced by the constitution of the tribunal, according to Pompey's law; which allowed of a partial challenge, namely, five out of each of the orders. *Vid. supr. c. i. n. 4.* *Cruq.* absurdly conceives 'sententia divisa' to refer to the first law of Pompey's sole consulship, although the very appointment of Pompey to be consul was a consequence of this artifice of Fusius.

6. *Reliqua auctoritas senatus*]

When a tribune interposed his *veto*, the decree was not completely nullified, but retained a species of authority, intimated by the name, 'S. auctoritas.' *Liv.* iv. 57. Si quis intercedat S. C^o, *auctoritate* se fore contentum. This, however, cannot be admitted as the reason for using 'auctoritas' here, because the 'sententia' is so called *before* the intercession of Plancus. Hence we must consider 'S. auctoritas' to import, as it often does, a motion made and passed in the senate, without any reference to the *veto*. *Pro dom.* 37. It is called 'reliqua' in reference to the unobnoxious part 'ut extra ordinem quæreretur.' As *Cic.* is alluding to a matter of great notoriety, he is very brief: 'The motion was divided, and a part permitted to pass; the rest of it, however, was thus quashed by a hired veto.' So *Phil.* i. 1. 'Dictaturam sustulit.' *De Or.* i. 58. 'Veteres leges—sublatas.' We must not then translate with *Guthr.* 'the remaining authority of the senate was abolished.' For it does not appear that any *part* had been abolished already; nor would *Cic.*, who was taunted with an undue control over the senate, and was consequently a great stickler for its authority, admit that a matter of so common occurrence as the interference of a tribune, to prevent the passing of a decree, amounted to the annihilation of that authority, an authority too, which was so soon after exerted in appointing Pompey sole consul.

7. *At enim*] The third 'præjudicium'; sc. 'that Pompey by his act had condemned Milo.' This *Cic.* refutes, by showing that Pompey merely enacted an inquiry—that an inquiry, where the fact was acknowledged,

lit enim de cæde, quæ in Appia via⁸ facta esset; in qua P. Clodius occisus esset. Quid ergo tulit? Nempe ut quæreretur. Quid porro quærendum est? Factumne sit? At constat. A quo? At paret.⁹ Vidit igitur in confessione facti, juris tamen defensionem suscipi posse. Quod nisi vidisset, posse absolvi eum, qui fateretur, quum videret nos fateri, neque quæri unquam jussisset, nec vobis tam salutarem hanc in judicando literam, quam illam tristem¹⁰ dedisset. Mihi vero Cn. Pompeius non modo nihil gravius contra Milonem judicasse, sed etiam statuuisse videtur, quid

implies an inquiry into the merits of the cause—that it will be seen by Pompey's own showing (Jam illud dicet, &c.) that his act is attributable to no predilection for Clodius, but to the emergency of the case—that to act otherwise would be to overthrow the very nature of a law, in the eye of which all men, whether high or low, are equal, (Quid ita, &c. c. 7,) as appears from the instances of Drusus and Africanus, whose untimely and lamented fate called forth no new enactment—that to permit concomitant circumstances to have any weight in determining the amount of guilt, would be to make the atrocity of Clodius's death be heightened, and that of his victim, Papirius, lowered by their occurring on the Appian (i. e. Clodian) way (aut eo mors atrocior, &c. c. 7.)—that in adducing an instance of Clodius's guilt, it was unnecessary to go back to Papirius, (quid ego illa commemoro, &c.,) the attempt to assassinate Pompey, (as guilt consists in the intention,) being as bad as any murder; not to mention the repeated attempts on Cicero's own life (Quoties ego ipse, &c. c. 7.). Are we prepared to say, then (asks Cic.) that, while the great and good had their lives taken away, or attempted, and no new law was called into existence by the public sorrow, Clodius's death has excited such general regret that Pompey framed his bill to assuage it: No, (Non fuit ea

causa, &c. c. 8.,) it was merely the fact of a reconciliation having taken place between Pompey and Clodius some time before, and in which Pompey wished to show himself perfectly sincere, that has called forth the law in question, (timuit ne videretur, &c. c. 8.) ; which, after all, Pompey would not have proposed, were he not aware that whatever severity there might be in his enactment, it would be tempered by the firmness of the judges; the selection of whom, from the most illustrious orders, and particularly the respectability of their president proved, incontestibly, that Pompey's sole motive was a regard to justice, &c., &c.

The connexion of the reasoning here will, perhaps, be better seen from this abstract. Cic. now proceeds to the defence itself. c. 9.

8. *Appia via*] This road, which still remains, was made by Appius Cæcus, censor A. V. 442, and extended from Rome to Capua. It was afterwards continued to Brundisium, it is uncertain when, or by whom.

9. *Paret*] i. e. Apparet, a term of law. *Al. patet*; and after 'vidit,' *al. etiam* for 'igitur.'

10. *Salutarem—literam—tristem*] The initials of 'Absolvo' and 'condemno.' These being given at all, showed that a doubt existed in the prætor's mind as to the guilt of the accused. There was a third tablet, not mentioned here, which was

vos in judicando spectare oporteret. Nam qui non poenam confessioni, sed defensionem dedit, is causam interitus quærendam, non interitum putavit. Jam illud dicet¹¹ ipse profecto quod sua sponte fecit, Publione Clodio tribuendum putarit, an tempori.¹²

VII. Domi suæ nobilissimus vir, senatus propugnator, atque, illis quidem temporibus, pæne patronus, avunculus hujus nostri judicis,¹ fortissimi viri, M. Catonis, tribunus plebis M. Drusus² occisus est. Nihil de ejus morte populus consultus, nulla quæstio decreta a senatu est.—Quantum luctum in hac urbe fuisse a nostris patribus accepimus, quum P. Africano,³ domi suæ quiescenti, illa nocturna vis esset illata ! quis tum non ingemuit ? quis non arsit dolore ? quem immortalem, si fieri posset, omnes esse cupe- rent, ejus ne necessariam⁴ quidem expectatam esse mortem ! Num igitur ulla quæstio de Africani morte lata est ? Certe nulla. Quid ita ? quia non alio facinore clari homines, alio obscuri necantur. Intersit inter vitæ dignitatem summorum, atque infimorum : mors quidem illata per scelus iisdem et pœnis teneatur, et legibus. Nisi forte⁵ magis erit parricida,⁶ si qui consularem patrem, quam si quis humilem necaverit : aut eo mors atrocior erit P. Clodii, quod is in monu- mentis⁷ majorum suorum sit interfectus. Hoc enim sæpe

marked N. L., i. e. non liquet ;—it is not clear. Cic. attributes, also, to Pompey, as the prime mover of the trial, the distribution of the ballots, which was ordinarily the part of the presiding judge. 'Tam—quam ;' as well as.

11. *Jam illud dicet*] Inf. 8. Homo sapiens, &c.—multa vidit.

12. *Tempori*] Inf. 8, 'Timuit ne videretur infirmior fides reconciliatæ gratiæ.' Vid. n. on 'reconciliatæ.'

SECT. VII.—1. *Hujus judicis*] M. Cato Uticensis, whose mother, Livia, was sister of Drusus.

2. *Drusus*] M. Livius. Arch. c. 7. n. 24.

3. *P. Africano*] Sc. Minori. Arch. c. 7. n. 6.

4. *Necessariam*] i. e. Natural.—'Fatum' is similarly used by Virg. iv. 695. Fato merita nec morte peri-

bat ; and by Tacitus, An. vi. 10. L. Pontifex, rarum in tanta claritudine, fato obiit ; i. e. died a natural death. And Cic. expresses the same idea, Phil. i. 4. 'præter naturam præterque fatum,' where, vid. note. Drusus fell in his 56th year.

5. *Nisi forte*, &c.] The usual indirect argument. Supr. c. 3. n. 10. As a stoic, Cic. held all crimes equal ; but perhaps he means to assert the equality of all men in the eye of the law, and their right to impartial justice.

6. *Parricida*] 1. Παρποκρόνογ—the slayer of a father ; 2. of any relative ; 3. (according to a law of Numa) of any freeman. Hence the formula of Romulus 'omne homicidium, parricidium.'

7. *Monumentis*] i. e. Which preserved their memory ; for the Appia Via, on which the rencontre oc-

ab istis dicitur.⁸ Perinde quasi Appius ille Cæcus viam munierit, non qua populus uteretur, sed ubi impune sui posterī latrocinarentur! Itaque⁹ in eadem ista Appia via, quum ornatissimum equitem Romanum P. Clodius M. Papirium¹⁰ occidisset, non fuit illud facinus puniendum; homo enim nobilis in suis monumentis¹⁰ equitem Romanum occiderat: nunc ejusdem Appiæ nomen quantas tragœdias¹¹ excitat! quæ cruentata antea cæde honesti atque innocentis viri silebatur, eadem nunc crebro usurpatur, posteaquam latronis et parricidæ sanguine imbuta est. Sed quid ego illa commemoro? Comprehensus est in templo Castoris¹² servus P. Clodii, quem ille ad Cn. Pompeium interficiendum collocarat; extorta est confitenti sica¹³ de manibus; caruit foro postea Pompeius, caruit senatu, caruit publico;¹⁴ janua se ac parietibus, non jure legum judiciorumque texit. Num quæ

curred, was made by Appius Cæcus, an ancestor of Clodius. This Appius was censor A. V. 442, and was struck blind for advising the Potitii to commit to public slaves the performance of the sacrifices to Hercules. Liv. i. 7, and ix. 29.

8. *Hoc ab istis dicitur*] The Clodians, it seems, urged it as an aggravation of Milo's guilt, that he killed Clodius on a road constructed by his ancestors; and, Quint. v. 10. points out the force of this part of the 'Clodian charge.' Nam et Ajax apud Ovidium: 'Ante rates agimus causam et mecum confertur Ulysses,' et Miloni objectum est 'quod Clodius in monumentis ab eo majorum suorum esset occisus.' On the same principle, M. Manlius could not be convicted while he remained in sight of the capitol. Liv. vi. 20. To this Cic. replies by admitting the aggravation, if his opponents will admit that Appius made the road to afford his posterity an opportunity of plundering there with impunity.

9. *Itaque*] Accordingly; i. e. supposing the road made for the above purpose.

10. *Papirium*] Pompey had, some

time before, brought to Rome the son of Tigranes, king of Armenia, as a hostage, and put him under the care of Flavius, the prætor. The young prince, assisted by Clodius, attempted to escape, but being discovered, a rencounter ensued, between his former guardian, Flavius, and Clodius, in which Papirius was slain. This was the origin of Pompey's enmity to Clodius.

10. *In suis monumentis*] i. e. As supr., 'majorum suorum.'

11. *Quantas tragœdias*] What a commotion! Dem. Cor. ὥσπερ ἐν τραγῳδίᾳ βοῶντα, ὦ γῆ, καὶ ἦλιε, καὶ ἀρετῇ.

12. *Templo Castoris*] One of the temples in view of the forum. Supr. 1. 'pro templis omnibus.' On this occasion the senate was held in Castor's temple. Inf. 'In foro atque vestibulo ipso senatus.' It was built by Posthumius, in honour of Castor and Pollux, for their espousing the cause of the Romans against the Latins, and assisting in defeating them at Regillus, and bringing the news to Rome.

13. *Sica*] Qu. 'secica,' a 'seco,' a 'cutlass; but 'pugio,' a

rogatio lata? num quæ nova quæstio decreta est? Atqui, si res,¹⁵ si vir, si tempus ullum dignum fuit, certe hæc in illa causa summa omnia fuerunt. Insidiator erat in foro collocatus, atque in vestibulo¹⁶ ipso senatus; ei viro autem mors parabatur, cujus in vita nitebatur salus civitatis; eo porro reipublicæ tempore,¹⁷ quo, si unus ille occidisset, non hæc solum civitas, sed gentes omnes concidissent. Nisi vero,¹⁸ quia perfecta res non est, non fuit punienda: perinde quasi exitus rerum,¹⁹ non hominum consilia legibus vindicentur. Minus dolendum fuit, re non perfecta; sed puniendum certe nihilo minus. Quoties²⁰ ego ipse, judices, ex P. Clodii telis et ex cruentis ejus manibus effugi! ex quibus si me non vel mea, vel reipublicæ fortuna servasset, quis tandem de interitu meo quæstionem tulisset?

VIII. Sed stulti¹ sumus, qui Drusum, qui Africanum, Pompeium, nosmetipsos, cum P. Clodio conferre audeamus. Tolerabilia fuerunt illa: P. Clodii mortem æquo animo nemo ferre potest. Luget senatus; mœret equester ordo; tota civitas confecta senio est; squalent² municipia, afflictan-

‘pungo,’ a poniard.

14. *Caruit publico*] Sc. loco; i.e. lived in privacy. Similarly, we say, to appear in public. Harusp. 23.

15. *Si res, &c.*] ‘Res’ is answered by ‘insidiator erat, &c.’; ‘vir,’ by ‘ei viro autem, &c.’; ‘tempus ullum,’ by ‘eo tempore, &c.’

16. *Vestibulo*] From Vesta. So Ovid. Fast. vi. 302. Qui [focus] a primis ædibus ante fuit. Hinc quoque vestibulum dici reor; inde precando Dicimus O Vesta! quo loca prima tenes.

18. *Vero*] Supr. c. 3. n. 10. Al. *forte*.

17. *Eo—tempore*] About three years since, when Cic. was in exile, and the republic, of course, on the brink of ruin, Pompey had quarrelled with Clodius about Tigranes’s son, and was obliged to shut himself within his house for fear of assassination. Supr. n. 10.

19. *Quasi exitus rerum*] A natural law, fully developed and established

by Christianity. Juv. xiii. Nam scelus inter se tacitum qui cogitat ullum Facti crimen habet.

20. *Quoties*] Thrice. Inf. ‘Sica (Clodii) intentata nobis. Hæc eadem longo intervallo conversa rursus est in me; nuper quidem me ad Regiam pene confecit.’

SECT. VIII.—1. *Sed stulti, &c.*] This sentence is an instance of elegant and even eloquent irony. The verbs accurately correspond in importance with their subjects, forming together a descending series. Thus ‘luget’ is the loudest grief; senatus the highest order; next ‘mœret—equester ordo,’ and so down to ‘agri—desiderant.’

2. *Senio*.] imports: 1. γῆρας, old age, decrepitude; 2. sadness, trouble, &c.; the usual concomitants of that stage of life.

2. *Squalent*] 1. Rough, neglected; 2. in mourning, when dress is usually little attended to.

tur³ coloniae ; agri denique⁴ ipsi tam beneficium, tam salutarem, tam mansuetum⁵ civem desiderant. Non fuit ea causa, iudices, profecto non fuit, cur sibi censeret Pompeius quaestionem ferendam ; sed homo sapiens⁶ atque alta et divina quadam mente praeditus, multa vidit : fuisse sibi illum inimicum, familiarem Milonem. In communi omnium laetitia, si etiam ipse gauderet, timuit ne videretur infirmior fides reconciliatae⁸ gratiae. Multa etiam alia⁹ vidit, sed illud maxime : quamvis atrociter¹⁰ ipse tulisset, vos tamen fortiter iudicaturos. Itaque delegit e florentissimis ordinibus¹¹ ipsa lumina : neque vero, quod nonnulli dictitant, secrevit¹² in iudiciis legendis amicos meos. Neque enim hoc cogitavit vir justissimus, neque in bonis viris legendis id assequi potuisset, etiamsi cupisset. Non enim mea gratia familiarita-

3. *Afflictantur*] A frequent. from 'affligo ;' 1. dashed to the ground ; 2. harassed, grieved.

4. *Agri denique*] Inf. 9. He says, 'silvas publicas depopulatus erat, Etruriamque vexarat,' which may, perhaps, justify the *regret* here noticed.

5. *Mansuetum*] 'Manui—assuetum ;' tamed, quiet, gentle.

6. *Homo sapiens*] The patience with which Pompey bore this praise excited Cicero's wonder. Fam. iii. 10. Qua ille humanitate tulit meam contentionem pro Milone, adversantem interdum actionibus suis !

7. *Alta—mente*] Polyb. βαθύτης τῆς ψυχῆς. Quint. Profundæ mentis consilia. Sall. Altitudinem ingenii. Grav. Al. omit. et divina.

8. *Reconciliata*] Pompey had quarrelled with Clodius on account of his attempt on Tigranes, supr. 7, n. 10, and evinced his enmity by defending Milo, when Clodius accused him, A. U. 697. According to Dio, lib. 39, when Pompey and Crassus, contrary to the wishes of the senate, demanded a second consulate, Clodius, whose sinking cause required the powerful aid of the candidates, joined their party, and became

reconciled to Pompey. They were consuls, the following year. Manut. refers the reconciliation to an alliance which took place between Pompey's son and Appius Claudius's daughter. Fam. iii. 4. But these letters were written when Cic. was proconsul of Cilicia, two years after this trial ; and there is no evidence of Clodius feeling so interested about the fortunes of his niece. Indeed the enmity of Clodius and Cic. does not seem to have shaken the friendship of Cic. and Appius.—'Reconciliata,' q. d. called together again.

9. *Multa alia*] Cic. would have the judges believe that Pompey had weighty reasons—state reasons, no doubt—for the part which he had acted. If he had expected to succeed, he should have done more than hint them.

10. *Atrociter*] From τρώω comes ἀτρώξ ; 1. crude, raw ; 2. cruel, harsh. 'Ferre atrociter,' to enact harshly.

11. *E florent. ordin.*] Supr. 2. Amplissimorum ordinum delectis viris ; sc. senators, knights, and tribunes of the treasury.

12. *Secrevit*] Set aside, passed

tibus continetur, quæ late patere non possunt, propterea, quod consuetudines victus¹³ non possunt esse cum multis. Sed si quid possumus, ex eo possumus, quod respublica nos conjunxit cum bonis. Ex quibus ille quum optimos viros legeret, idque maxime ad fidem suam pertinere arbitraretur, non potuit legere non¹⁴ studiosos mei. Quod vero¹⁵ te, L. Domiti, huic quæstioni præesse maxime voluit, nihil quæsivit aliud, nisi justitiam,¹⁶ gravitatem, humanitatem, fidem.—Tulit, ut consularem necesse esset: credo, quod principum munus esse ducebat, resistere et levitati multitudinis, et perditorum temeritati. Ex consularibus te creavit¹⁷ potissimum; dederas enim,¹⁸ quam contemneres populares insanias, jam ab adolescentia documenta maxima.

IX. Quamobrem, judices, ut aliquando ad causam crimenque veniamus; si neque¹ omnis confessio facti est inusitata, neque de causa quidquam nostra aliter, ac nos vellemus, a senatu judicatum est; et lator ipse legis, quum esset controversia nulla facti, juris tamen disceptationem esse voluit; et electi judices, isque præpositus quæstioni, qui hæc juste sapienterque disceptet: reliquum est, judices, ut nihil jam aliud quærere debeatis, nisi, uter utri insidias fecerit. Quod quo facilius argumentis perspicere possitis, rem gestam vobis

over. Seorsum—cerno; i. e. *κρίνω*. So Att. i. 16. 'Reus—frugalissimum quemque secerneret,' h. e. according to Forcel. 'seligeret et repudiaret.' Pompey, in choosing the judges, had passed by Cicero's intimate friends, which was adduced, by some, as a proof of Pompey's hostility to Milo. He did pass over my intimate acquaintances (familiares,) says Cic.; nor is that strange, for they are necessarily few; but admitting that he appointed good men, he did not, could not, pass over my friends and adherents ('studiosos mei.')

13. *Consuetudines victus*] This determines the meaning of 'familiares;' sc. those who are in the habit of meeting in convivial parties.

14. *Non patuit—non*] Could not but.

15. *Quod vero, &c.*] But in that,
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&c.; i. e. Pompey's choosing you to preside, shows that he was in quest of no personal enemy of Milo; that he only wanted, in the president, justice, &c.

16. *Justitiam, &c.*] 'Justice' to acquit the innocent; 'firmness' to oppose the mob; 'humanity' to pardon involuntary error; and 'faith' to judge according to the laws and his oath. *Abram.*

17. *Creavit*] Sc. by proposing it to the senate, not by his own dictum.

18. *Dederas enim*] Domitius, in his prætorship, (A. V. 695,) had opposed the tribune Manlius, in an attempt to enfranchise the freedmen. *Ascon.*—If this be alluded to, 'adolescencia' must be taken in its usual extensive meaning.

SECT. IX.—1. *Si neque, &c.*] He
K

dum breviter expono,² quæso, diligenter attendite. P. Clodius, quum statuisset omni scelere in prætura vexare rempublicam, videretque ita tracta esse comitia³ anno superiore, ut non multos menses præturam gerere posset: qui non honoris gradum spectaret, ut ceteri, sed et L. Paullum⁴ collegam effugere vellet, singulari virtute civem, et annum integrum ad dilacerandam rempublicam⁵ quæreret: subito reliquit annum suum,⁶ seque in annum proximum transtulit, non, ut fit, religione⁷ aliqua, sed ut haberet, quod ipse dicebat, ad præturam gerendam, hoc est, ad evertendam rempublicam plenum annum atque integrum. Occurrebat [ei,] mancam⁶ ac debilem præturam suam futuram, consule Milone: eum porro summo consensu⁷ populi Romani consulem fieri videbat. Contulit se ad ejus competitores;⁸ sed ita,⁹ to-

recapitulates the 'præjudicia' supr. 3. n. 3.

2. *Breviter expono*] Quint. iv. 2.

3. *Tracta esse comitia, &c.*] Owing to the bribery and disputes of the candidates, the election of consuls for the year 700 had not taken place when it commenced; and the tribunes, partly from partiality to an interregnum, during which their power was under the least possible control, partly from the wish of having Pompey created dictator, by their cabals, retarded it six months longer. Finally, Domitius Calvinus and Valerius Messala were elected.

4. *L. Paullum*] Prætor of the previous year, and that wherein Clodius should have been prætor. He was afterwards proscribed by Lepidus, one of the second triumvirate; and is noticed by Sall. (Cat. 31.)

5. *Ad dilacerandam remp.*] Cum jam semianimum laceraret Flavius orbem. Juv. Sat. iv. 38.

6. *Annum suum*] The Lex Villia or Annalis, A. U. 573, was the first which restricted the age for holding the curule offices. By it the ædileship was fixed to thirty-seven, the prætorship to forty, and consulship to forty-three. With regard to the quæstorship there is greater uncer-

tainty. Polyb. vi. 17, says, that ten years' service was necessary to qualify for the first magistracy, and allowing the military age to be seventeen, this will give twenty-seven for the quæstorian, and at this age the Gracchi obtained that office. But Cic., who boasts that he obtained every office *suo anno*, Agr. ii. 2, was quæstor at thirty-one, which age, therefore, appears the most probable. Liv. xxv. 2, and xl. 44. Also, Manut. de legg. c. 6.

7. *Non, ut fit, religione*] He hints that persons, through religious scruples, resulting from defects in the auspices, occasionally omitted to sue for offices in their proper year. Clodius was not one of these.

6. *Mancam*] 1. Maimed (properly, in the hand, from 'manus'); 2. imperfect; and 'debilem,' (with the first long, being from 'dehabilem,') feeble. Lit. *un-able* 'de' being *un*, and 'habilis,' *able*.

7. *Summo consensu*] Consequently he did not fear his opposition; and, therefore, had no interest in killing him.

8. *Competitores*] P. Plautius Hypsæus and Q. Metellus Scipio.—Introd. 3.

9. *Sed ita*] i. e. Contulit. Com-

tam ut petitionem ipse solus, etiam invitis illis, gubernaret; tota ut comitia suis, ut dictitabat, humeris sustineret. Convocabat tribus;¹⁰ se interponebat;¹¹ Collinam¹² novam delectu perditissimorum civium conscribebat. Quanto ille plura miscebat, tanto hic magis in dies convalescebat. Ubi vidit homo ad omne facinus paratissimus, fortissimum virum, inimicissimum suum, certissimum consulem; idque intellexit non solum sermonibus, sed etiam suffragiis¹³ populi Romani sæpe esse declaratum: palam agere cœpit, et aperte dicere,¹⁴ occidendum Milonem. Servos¹⁵ agrestes et barbaros,¹⁶ quibus silvas publicas¹⁷ depopulatus erat, Etruriamque vexarat ex Apennino deduxerat, quos videbatis. Res erat minime obscura. Etenim palam dictitabat, consulatum Miloni eripi non posse, vitam posse.¹⁸ Significavit hoc sæpe in se-

pare Manil. c. 8. n. 15.

10. *Convocabat tribus*] In early times, when the tribes were few in number, the people were summoned to the comitia centuriata by classes; but when the tribes increased to thirty-five, it was found more convenient to convoke the people by tribes, as at the comitia tributa, and then distinguish the tribes into centuries. This accounts for the frequent mention of 'tribes' at the com. *centuriata*. Vid. Phil. ii. 32.

11. *Se interponebat*] Either in a general sense, 'became, as it were, a party concerned;' or, as Ern., 'acted as bribing-agent for the candidates.'

12. *Collinam*] (A collis) relating to a hill, namely, the Quirinal and Viminal, in the vicinity of which lay the 'Collina tribus,' one of the four city tribes. How the formation of a new tribe lay within the compass of a private man like Clodius, or was to influence a public election, does not appear. Perhaps the Colline tribe was conspicuous in the public disturbances, in which respect, if not in voting, the Clodian mob might resemble it. Al. Colo-

niam.

13. *Suffragiis*] The election had been frequently adjourned by the interference of the tribunes, but not till Milo's likelihood of success was manifest. So Cic. 'ter prætor primus renunciatus est.' Manil. 1.

14. *Agere—dicere*] Manil. c. 1. n. 5.

15. *Servos*] Clodius had a number of slaves located on his estates in Etruria and in the Apennines, whom he had summoned to Rome from time to time, to assist him in his enterprises. He had, no doubt, been found, too, a troublesome neighbour in the country. The Apennines run the whole length of Italy, from the Alps in Liguria to Leucopetra, a promontory of Rhegium. Phil. i. 3.

16. *Barbaros*] Nullis studiis ad humanitatem expoliti. *Abram.* Comp. Marcel. 3. 'Gentes immanitate barbaras.'

17. *Silvas publicas*] Comp. Manil. c. 6. n. 16, whence it would appear, that these were 'pastures farmed by the republic.'

18. *Vitam posse*] Yet Cic. says, Att. iv. 3, 'Nisi ante [Clodius] occisus erit, fore a Milone puto.'

natu: dixit¹⁹ in concione. Quin etiam Favonio,²⁰ fortissimo viro, quærenti ex eo, qua spe fureret, Milone vivo, respondit, triduo illum, aut²¹ summum quatrinduo, periturum: quam vocem ejus ad hunc M. Catonem statim Favonius detulit.

X. Interim¹ quum sciret Clodius, (neque enim erat difficile scire)² iter sollemne,³ legitimum, necessarium, ante diem⁴ xiii. Kalendas Februarias Miloni esse Lanuvium

19. *Significavit—dixit*] Cic. points out the difference, Or. i. 26. 'Significare' inter se dicuntur, qui sibi innuunt, &c.

20. *Favonio*] This celebrated imitator of Cato, (ζηλωτής Κάτωπος, Plut.,) suffered among the proscribed during the second triumvirate. Suet. Aug. 13.

21. *Aut*] *Al. ad.*

SECT. X.—1. *Interim*] Inter-im; i. e. inter eam rem. *Im*, the regular accus. termination from *is*, only used in adverbial forms, e. g. fatim, partim, &c.

2. *Neque enim—scire*] Because the Lanuvians had a community of rites with the Romans. Liv. viii. 14. 'Ut ædes lucusque Sospitæ Junonis communis Lanuvinis municipibus cum pop. Rom. esset.' Lanuvium was a town in Latium, about one hundred stadia from Rome, now called Citta Indovina. Muren. 41. Liv. xl. 19. xxii. 1.

3. *Sollemne*] Or 'solenne,' from 'solus,' in the sense of 'unus,' and 'annus;' yearly, as opposed to biennial, triennial, &c. Afterwards more generally, 'at stated times.'

4. *Ante diem, &c.*] 'The twentieth of January.' The Roman calendar agreed with ours in the number of months and days in each month; but differed in the mode of reckoning. For, instead of simply dating from the first of the month, consecutively, they fixed upon three days, pointed out, no doubt, by the ceremonies of their religion, to which all the others were referred. These were the ca-

lends, or first; the ides, or thirteenth; and the nones, or fifth. [In March, May, July and October, whose initials make OMMI, the ides were on the fifteenth, and nones on the seventh.] The calends were so called from 'calare,' to proclaim, it being usual for the pontifex, before the calendar was reduced to writing, to proclaim on that day whether the nones were on the fifth or seventh. (Varr. L.L. v. 4.) The ides, from 'iduare,' to divide, nearly halved the month.—So Hor. 'Idus tibi sunt agendæ, Qui dies mensem Veneris marinæ, Findit Aprilem.' The nones were probably introduced after the ides, by which they were regulated. For reckoning back, inclusively, from the ides, we find 'nono idus' answering to the fifth, (on the months excepted above, to the seventh,) which was hence called 'nonæ.' [Horace, however, says, 'octonis referentes idibus æra;,' i. e. falling the eighth day after the nones; so that he did not recognise the ancient form, 'nono idus.' As to the mode of dating, calendæ, nonæ, and idus, were put in the abl., followed by the name of the month, either agreeing as an adj. or governed as a subst. [Adam excepts 'Aprilis' as being always a subst.; but Hor. says, 'Mensem Aprilem;,' Ovid. Fast. iv. 621, 'idus Apriles,' and Cic. (vid. Coop. Thes.) 'calendis Aprilibus.'] The date of the other days was determined by their position in reference to the standard days. Thus, if the given day preceded the nones,

flaminem prodendum,⁵ quod erat dictator⁶ Lanuvii Milo; Roma subito ipse profectus pridie est, ut ante suum fundum⁷ (quod re⁸ intellectum est) Miloni insidias collocaret. Atque ita profectus est, ut concionem⁹ turbulentam, in qua ejus furor desideratus est, quæ illo ipso die habita est, relinqueret; quam, nisi obire¹⁰ facinoris locum tempusque voluisset, nunquam reliquisset. Milo autem¹¹ quum in senatu fuisset

it was subtracted from the *nonal* number, increased by *one* (because they reckoned inclusively,) and the remainder was the day—‘ante nonas.’ Similarly, before the *ides*; but *after* the *ides*, it was subtracted from the number of days in the month, increased by *two*; one, as reckoning inclusively, and one for the *calends* of the following month. The remainder was the day—‘ante calendas mensis sequent.’ Thus, the 2nd of Jan. is ‘4^{to}. ante nonas; the 6th, is 8^{vo}. ante idus; and the 14th is 19^{mo}. (undevigesimo) ante cal. Febr.

And here note, 1. That the complete form ‘*tertio* (e. g.) *die ante cal. non. or idus*’ is written shortly ‘*tert. cal. &c.*’ 2. That by a transposition of *ante*, ‘*ante diem tert. cal. &c.*’ is usual. This transposition is either from ‘*tertio die ante cal.*’ with a change of case, as ‘*paullo post—post paullum*’; or from ‘*tertium diem ante cal.*’ without any change, the time *when* being sometimes put in the *accus*. The transposition itself may be owing to an ambiguity in ‘*tertio cal.*’ which being resolvable either by *ante* or *post*, is thus rendered determinate. 3. That ‘*ante diem*’ is often preceded by *ex* or *in*; in which case ‘*ante diem*, is to be considered a compound phrase equivalent to ‘the *current* or *uncompleted* day, and is governed as a substantive. So Att. iii. 17. ‘*Ex. ante diem non. Jun.*’ from the 5th of June; Cat. i. 3. ‘*In ante diem quint. Cal. Nov.*’ against the

28th of October. 4. ‘*Secundo Cal. non., &c.*’ is displaced by ‘*pridie cal. &c.*’ [Cic., however, pro Quint. 6, writes ‘*ante diem secundum Cal. Febr.*’]

5. *Flaminem prodendum*] Vid. Phil. ii. 43. *Prodere* is applied where there is no suffrage. Thus ‘*prodere interregem, &c.*’ Dom. 13.¶ But we say, ‘*dicere dictatorem,*’ ‘*creare, or designare, consulem,*’ ‘*co-optare augurem, &c.*’

6. *Dictator*] If the ‘*municipium*’ had two magistrates they were called ‘*duumviri*’; if one, he was named variously, *quæstor*, *ædile*, *prætor*, or *dictator*. E. g. Hor. ‘*Fundos Aufidio Lusco prætoris libentes, &c.*’ Pers. i. 130. *Fregerit heminas Areti ædilis iniquus.*

7. *Fundum*] A building in the city was called ‘*ædes*’; in the country, ‘*villa*’; ground in the city, ‘*area*’; out of it ‘*ager*’; whereas a house and farm were specifically called ‘*fundus*,’ as here.

8. *Re*] Sc. *eventu pugnae*.

9. *Concionem*] That held by *Salust* and *Q. Pompey* on the day of the *affray*. *Introd.* 4.

10. *Obire*] To attend on; to wait. Phil. iii. 8. *Antonius diem edicti obire neglexit.*

11. *Milo autem, &c.*] Quint., iv. 2. remarks on the effect produced by this affectation of simplicity in his language—‘*illa callidissima simplicitatis imitatio*’—in lulling the suspicions of the judges, and raising an idea of the straight-forward conduct of Milo.

eo die, quoad senatus dimissus est, domum venit; calceos¹¹ et vestimenta¹² mutavit; paullisper, dum se uxor,¹³ ut fit, comparat, commoratus est; deinde profectus est id temporis,¹⁴ quum jam Clodius, si quidem eo die Romam venturus erat, redire potuisset. Obviam fit ei Clodius, expeditus,¹⁵ in equo, nulla rheda,¹⁶ nullis impedimentis, nullis Græcis comitibus,¹⁷ ut solebat; sine uxore,¹⁸ quod nunquam fere: quum hic insidiator,¹⁹ qui iter illud ad cædem faciendam apparasset, cum uxore veheretur in rheda, pænulatus, magno et impedito,²⁰ ac muliebri et delicato²¹ ancillarum²² puerorumque comitatu. Fit obviam Clodio ante fundum²³ ejus, hora fere

11. *Calceos, &c.*] The shoes of the senator were peculiar. For Cic. Phil. xiii. 13, describing one Asinius becoming a 'volunteer senator,' says, 'calceos mutavit. Pater consc. repente factus est.' According to Rubenus, (de re vest.) the patrician senators, alone, wore the Luna, or letter C, (the initial of 'centum,' the original number of 'patres,') fixed to the front of the shoe, (hence, Juv. vii. 192. 'Adpositam nigræ lunam subtextit alutæ,') while the others had thongs, or straps of black leather, which braced it up to the calf of the leg. So Hor. Sat. i. 6. 27—'nigris medium impediit crus Pellibus,' where he takes 'pellibus' to mean merely the thongs noted above, as the shoes were of various colours, and some gilt or embroidered.

12. *Vestimenta*] Sc. his 'toga' and 'latus clavus.' These and the 'calcei' were always replaced, on travelling, with the 'pænula,' or 'lacerna,' and 'perones,' or 'gallicæ. Vid. Phil. ii. 30.

13. *Uxor*] Fausta, the daughter of Sylla, the dictator.

14. *Id temporis*] i. e. So late. *Græv.*

15. *Expeditus*] A metaph. from military affairs. Soldiers unincumbered with baggage, (impedimentum,) equipped for the march or

battle, were called 'expediti.'

16. *Rheda*] A four-wheeled vehicle of Gallic origin, so called, says Voss., from *reden* or *ryden*, in Eng. 'to ride.' It differed from the 'cissium,' which was two-wheeled, and from the 'essedum,' which was, properly, a war-chariot. Phil. ii. 24.

17. *Græcis comitibus*] These were learned foreigners, generally Asiatics, whom the wealthy patronised and maintained in their families; as the Luculli did Archias. Arch. 2. Pis. 28. These were replaced by the 'studiosa cohors' in the Augustan age, and afterwards degenerated into mere flatterers and parasites. Juv. iii. 69. Græculus esuriens, &c. Seut. Aug. 89. Tiber. 56.

18. *Sine uxore.*] Fulvia, subsequently wife of Curio and Antony. Phil. ii. 5.

19. *Hic insidiator*] Ironically.

20. *Impedito*] Al. *impedimento*, which Orel. objects to have placed in the sing.

21. *Delicato*] From 'deliciæ.' Th. 'lacio,' I entice. It imports effeminate; unfit for contest.

22. *Ancillarum*] The female slaves. 'Anculi' were the slaves of the gods, as Ganymede, Hebe, &c. Hence the dimin. 'ancillus.' 'Puerorum,' the male slaves.

23. *Fundum ejus*] In Albano. Inf.

undecima,²⁴ aut non multo secus. Statim complures cum telis in hunc faciunt de loco superiore²⁵ impetum; adversi²⁶ rhedarium occidunt. Quum autem hic de rheda, rejecta pænula, desiluisset, seque acri animo defenderet; illi, qui erant cum Clodio,²⁷ gladiis eductis, partim recurrere²⁷ ad rhedam, ut a tergo Milonem adorirentur; partim, quod hunc jam interfectum putarent, cædere incipiunt ejus servos, qui post erant; ex quibus, qui animo fideli in dominum et præsentem²⁸ fuerunt, partim occisi sunt, partim, quum ad rhedam pugnari viderent, et domino succurrere prohiberentur, Milonem occisum et ex ipso Clodio audirent, et re vera²⁹ putarent; fecerunt id³⁰ servi Milonis, (dicam enim non derivandi³¹ criminis causa, sed ut factum est,) neque imperante, neque sciente, neque præsentem³² domino, quod suos quisque servos in tali re facere voluisset.

XI. Hæc, sicut exposui, ita gesta sunt, judices: insidiator superatus, vi victa vis, vel potius oppressa virtute audacia

20, 'quo in fundo propter insanas substructiones, facile mille hominum versabatur valentium.'

24. *Hora fere undecima*] Nearly five o'clock, if the affray had happened at the equinox. But as it took place on the 20th of January, it will diminish this by upwards of an hour.

25. *Superiore*] They had the choice of the ground, and the farm was on an elevated situation.—*Introd.* 4.

26. *Adversi*] Those immediately opposite the driver.

27. *Illi qui erant cum Clodio*] It would appear that some of Clodius's party attacked the driver in front, to prevent escape. Milo, on quitting the vehicle, began to defend himself against their assault. Clodius and the rest of his party, who had permitted the carriage to pass them a little, seeing Milo thus engaged, ran back (they were on their way to Rome,) to attack him. But this did not require them all. The remainder, (partim) therefore, with whom Clo-

dus happened to be, fell in with the attendants of Milo, that were in the rear of the carriage ('qui post erant,' and therefore nearer the Clodius body,) by whom Clodius was killed.

27. *Recurrere*] The infin. depending upon 'incipiunt' inf.' The historians generally leave it absolute.

28. *Præsenti*] Sc. contra periculum; undaunted.

29. *Revera*] Al. *ita esse*.

30. *Fecerunt id, &c.*] A periphrasis and euphemism. Similarly Dem. in Mid. ὅπερ ἂν ὑμῶν ἕκαστος ὑβρισθεὶς προείλετο πρᾶξαι, τῷτο δὲ αὐτὸς ἐποίησα.

31. *Derivandi*] 'Derivare' is, 1. to draw water down, or away from its natural channel; 2. turn upon another. Tr. 'not with the view of laying the blame elsewhere.'

32. *Præsente*] Hottom. says, 'præsens erat corpore, non animo.' But, vid. supr., n. 27, where it will appear that Milo was engaged with the first party that attacked his driver in front, when Clodius was slain by his slaves in the rear.

est. Nihil dico,¹ quid respublica consecuta sit: nihil, quid vos: nihil, quid omnes boni. Nihil sane id prosit Miloni, qui hoc fato² natus est, ut ne se quidem servare potuerit, quin una rempublicam vosque servaret. Si id jure³ non posset, nihil habeo quod defendam. Sin hoc et ratio⁴ docetis, et necessitas barbaris, et mos gentibus, et feris natura ipsa præscripsit, ut omnem semper vim, quacunque ope possent, a corpore, a capite, a vita sua propulsarent: non potestis hoc facinus improbum judicare, quin simul⁵ judicetis, omnibus, qui in latrones inciderint, aut illorum telis, aut vestris sententiis esse pereundum. Quod si⁶ ita putasset; certe optabilius Miloni fuit dare jugulum P. Clodio, non semel ab illo, neque tum primum petitem, quam jugulari a vobis, quia se illi non jugulandum tradidisset. Sin hoc nemo vestrum ita sentit; illud jam in judicium venit,⁸ non, occisusne sit, quod fatemur; sed jure, an injuria; quod multis in causis sæpe quæsitum est. Insidias factas esse constat: et id est, quod senatus contra rempublicam factum judicavit: ab utro factæ sint, incertum est. De hoc igitur latum est, ut quæreretur. Ita et senatus rem, non hominem, notavit:⁹ et Pompeius de jure, non de facto, quæstionem tulit.

SECT. XI.—1. *Nihil dico*] The ingenuity of Cic. in enumerating, while he professes to omit, the advantages likely to accrue from the death of Clodius, is noticed by Quint., iv. 5. It appears from Asconius's preface that this ground of defence was taken by M. Brutus who wrote, though he did not speak, a speech on the subject. Supr. 2, n. 20.

2. *Hoc fato*] Phil. ii. 1. Quoniam meo fato, P. C. fieri dicam, &c.

3. *Si id jure*] If the principle of self-defence is inadmissible.

4. *Ratio, &c.*] These fountains of law are appropriately referred. For 'reason' properly belongs to those who have improved their powers; the uncultivated are the slaves of 'necessity'; nations are subservient to 'custom,' while the lower animals

are directed by 'mere instinct.'

5. *Quin simul*] Without at the same time deciding.

6. *Quod si*] i. e. 'If he had imagined there was no alternative between the dagger of Clodius and the sentence of the judges, he would have preferred the former, as less dishonourable to you.'

7. *Fuit*] Ern. *fuisse*. "In regard of the phrases, 'par, æquum; optabilius est, &c.,' the Latin idiom speaks of the propriety, advantage, &c., as something actual, in the indicative mood, though the circumstances which would have realized it, never took place; the English, in such cases, use a potential." Zumpt's L. Gram. p. 295.

8. *Illud—venit*] Supr. 2. n. 20.

9. *Notavit*] Notare is, 1. to mark; 2. (in malam partem) to

XII. Numquid igitur aliud in iudicium venit, nisi, uter utri insidias fecerit? Profecto nihil; si hic illi,¹ ut ne sit impune; si ille huic, tum nos² scelere solvamur. Quonam igitur pacto³ probari potest, insidias Miloni fecisse Clodium? Satis est quidem in illa tam audaci, tam nefaria bellua docere, magnam ei causam, magnam spem in Milonis morte propositam, magnas utilitates fuisse. Itaque illud Cassianum,⁴ CUI BONO FUERIT, in his personis⁶ valeat: etsi boni⁷ nullo emolumento⁸ impelluntur in fraudem, improbi sæpe parvo. Atqui, Milone interfecto, Clodius hoc assequeretur, non modo ut prætor esset non eo consule,⁹ quo sceleris nihil facere posset: sed etiam, ut iis consulibus prætor esset, quibus si non adjuvantibus, at conniventibus certe, speraret, posse se rempublicam¹⁰ eludere in illis suis cogitatis furoribus: cujus illi¹¹ conatus, ut ipse ratiocinabatur, nec, si possent, reprimere cuperent, quum tantum beneficium¹² ei se debere arbitrarentur; et, si vellent, fortasse vix possent frangere hominis sceleratissimi corroboratam¹³ jam vetustate audaciam. An vero, iudices,¹⁴ vos soli ignoratis, vos hos-

censure. This latter sense was at first proper to the censors; afterwards to any judge, or body of judges, as the senate. Cluent. 42. 47. Supr. 6. Hor. Sat. i. 3. 24, 'dignusq; notari.' Also, Sat. i. 4. 5. 'Si quis, &c.—multa cum libertate notabant.'

SECT. XII.—1. *Si hic illi, &c.*] Throughout the whole oration 'hic' is applied to Milo; 'ille' to Clodius.

2. *Tum nos*] i. e. *Ut nos scelere solvamur.*

3. *Quonam igitur pacto, &c.*] His first proof, which occupies this and the following section is, that Clodius would have gained by the death of Milo, and vice versa.

4. *Illud Cassianum*] L. Cassius was so remarkable for his strictness as a judge, that Val. Max. (iii. 7.) says, 'Ejus tribunal scopulus reorum dicebatur.' When appointed, says Ascon., to judge the vestal virgins, of whom L. Metellus had condemned only one, Æmilia, and acquitted Marcia

and Licinia; he condemned them also, along with several others.

5. *Cui bono*] i. e. 'Cui profuerit;' the double dative on 'fuerit.' This was the usual question of Cassius. Phil. ii. 14.

6. *Personis*] Arch. 2. n. 10.

7. *Boni, &c.*] Oderunt peccare boni virtutis amore. Hor. Ep. i. 16. 52.

8. *Emolumentum*] From 'molo;' 1. the profits of grinding; 2. advantage in general.

9. *Eo consule*] Sc. Milone; and 'iis consulibus,' Hypsæus, and Scipio.

10. *Remp.*] Omitted by Orel.

11. *Illi*] The consuls.

12. *Tantum beneficium*] For Clodius had canvassed for them. Supr. 9. 'Convocabat tribus,' &c.

13. *Corroboratam*] Metaph. from trees, which are hard in proportion to their age.

14. *An vero iudices, &c.*] A splendid amplification of this plain proposition; 'Clodius was about to

pites¹⁵ in hac urbē versamini? vestrae peregrinantur¹⁶ aures, neque in hoc pervagato civitatis sermone versantur, quas ille leges, (si leges nominandae sunt, ac non faces urbis, pestes reipublicae,) fuerit impositurus nobis omnibus atque inustus¹⁷? Exhibe, quæso, Sexte Clodi,¹⁸ exhibe librarium illud legum vestrarum, quod te aiunt eripuisse e domo,¹⁹ et ex mediis armis turbaque nocturna¹⁹ tanquam Palladium²⁰ sustulisse, ut præclarum videlicet munus ac instrumentum²¹ tribunatus ad aliquem, si nactus esses, qui tuo arbitrio tribunatum gereret, deferre posses. [Atque²¹ per (omnes tribus²² divisis libertinis servos ille omnes, qui in libertate morarentur,²³ lege nova additurus erat, ut ipsi cum ingenuis æqualiter suffragia ferrent.) An hujus ille legis, quam Sextus Clodius a se inventam gloriatur, mentionem facere ausus esset, vivo Milone,

enact pernicious laws in his prætorship, were Milo dead.' Quint. ix. 2.

15. *Hospites*] *Ξένοι*—sojourners. Perhaps it is connected with *ἑστιας*, from *ἑστια*; a hearth. It differs from 'advena,' and 'peregrinus,' in supposing an acquaintance or intimacy, which they do not.

16. *Peregrinantur aures*] These questions imply a charge of ignorance, arising from negligence as to what is passing around us.

17. *Inustus*] Supposing Clodius a tyrant, then he might be said to brand his laws on the Romans, as his slaves. Pis. 13. *Lex....inusta per servos*.

18. *Sext. Clodi*] The kinsman and secretary of P. Clodius. Introd. 4.

19. *Librarium*] An adj. with 'loculamentum;' understood; a book-case. To show the quantity of these laws, he desires him to exhibit, not the parchments, but the chest containing them.

19. *Nocturna*] For the body of Clodius was brought to Rome late in the evening; and Sextus lost no time in bringing forth from Clodius's house, which was beset with armed crowds

collected round the dead body, this trophy of his master's victory over the constitution.

20. *Palladium*] This was an image of Pallas, which originally belonged to Troy; from which it was removed by Ulysses or Diomedes.—How it came to Rome does not appear, but it was placed in the temple of Vesta, from the flames of which Metellus had rescued it. Juv. iii. 139. Sextus exhibited equal anxiety about Clodius's laws.

21. *Instrumentum*] An apparatus for carrying on a tribuneship; sc. a transcript of all such laws as a bad tribune could turn to the destruction of the state.

21. *Atque—reprehensio est*] This passage, included in brackets, is restored by Orel. and others, from Quint. ix. 2; and Schol. Ambros. Ad. Orat. pro ær. alien. Mil. p. 97. *Ed. Maii*. It refers to Clodius's infamous law about enfranchising the freedmen. Inf. 32. 'Incidebantur domi leges, quæ nos nostris servis addicerent.' Also 33. *Lege nova, &c.*

22. *Tribus*] Sc. rusticanas.

23. *Qui in libert. morar.*] i. e. Were libertini.

ne dicam consule? De nostrum enim omnium²⁴—non audeo totum dicere. Videte, quid ea vitii lex habitura fuerit, cujus periculosa etiam reprehensio est.] Et adspexit²⁵ me illis quidem oculis, quibus tum²⁶ solebat, quum omnibus omnia minabatur. Movet me quippe lumen curiæ!

XIII. Quid? tu me iratum, Sexte, putas tibi, cujus tu inimicissimum multo crudelius etiam punitus es, quam erat humanitatis meæ postulare? Tu P. Clodii cruentum¹ cadaver ejecisti domo;² tu in publicum abjecisti: tu spoliatur imaginibus,³ exsequiis,⁴ pompa, laudatione, infelicissimis lignis⁵ semustulatum,⁶ nocturnis canibus⁷ dilaniandum reli-

24. *De—omnium—non audeo*] If the MS. here is complete, as it seems, there is an *aposiopesis*, which may be variously supplied. Referring *enim* to *hujus legis*, preceding, it may be, 'salute exstinguenda, &c., &c.'—But I dare not dwell on it fully lest I rouse the vengeance of his party.—Hence he adds 'cujus periculosa etiam reprehensio.' Other methods will suggest themselves.

25. *Et aspexit me*] Cic., in order to give his address an *extempore* air, turns round to the senate, and remarks, that S. Clodius appears, from his looks, to be displeased. 'Forsooth, that talented individual, that luminary of the senate, claims my attention; I, therefore, must explain.' 'Quid? tu me, &c.' The commentators notice a 'jocus in ambiguo' in 'lumen curiæ:' for Sextus had set on fire the senate-house. Perhaps the 'jocus' consists rather in calling the vile tool of a seditious tribune 'lumen curiæ,' an illustrious senator, the burning of the senate-house being an unlikely subject for Cic. to jest upon. [This note was written before Orellius's edition was seen, and though it is probable that there is a farther 'lacuna,' it did not seem necessary to alter it.]

26. *Tum—cum*] Sc. in the tribuneship of P. Clodius, when Sextus was the willing instrument of all the injuries inflicted on Cicero.

SECT. XIII.—1. *Cruentum*] Sine lavatu. Enn. 'Tarquinii corpus bona femina lavit et unxit.'

2. *Ejecisti domo*] When the corpse of Clodius was brought home, Sextus did not 'compose' and then bury it. 'Ejecisti' and 'abjecisti' are chosen to express the carelessness and contempt with which he treated the corpse of his patron. Against this, Ulpian says, that an action lay: 'Injuriarum fore actionem adversus eum qui ejecit. Hor. i. 8. Huc prius angustis ejecta cadavera cellis.'

3. *Spoliatum imaginibus*] Which (Plin. xxxv. 2.) were preserved in the halls of noble families, and brought out on such occasions. Juv. Sat. viii.

4. *Exsequiis*] A following to the grave; funeral procession, which 'pompa,' also here signifies, and is therefore, only amplificatory.

5. *Infelicissimis lignis*] 'Infelices arbores' are those which are dedicated to the infernals. They are either barren, or bear black fruit.—Macrob. ii. 16. But the wood generally employed in funeral piles was fir, pine, cleft oak, &c., together with balsam, mummy, and other perfumed woods. The body of Clodius, however, was burned with the benches, tables, &c. of the senate-house, which he emphatically calls 'infelicissima.' So Catul. (Ep. 37.) devotes the writings of a sorry poet, 'Infelici-

quisti. Quare⁸ etsi nefarie⁹ fecisti, tamen, quoniam in meo inimico crudelitatem expromsisti tuam, laudare non possum, irasci certe non debeo. [*Demonstravi*,¹⁰ *judices, quantum Clodii interfuerit occidi Milonem*; convertite animos nunc vicissim ad Milonem. Quid Milonis intererat interfici Clodium? Quid erat, cur Milo, non dicam admitteret, sed optaret? Obstabat in spe consulatus Miloni Clodius. At eo repugnante¹¹ fiebat; immo vero, eo fiebat magis, nec me suffragatore meliore utebatur, quam Clodio. Valebat apud vos, judices, Milonis erga me remque publicam meritorum memoria; valebant preces et lacrimæ nostræ, quibus ego tum vos mirifice moveri sentiebam, sed plus multo valebat periculorum impendentium timor. Quis enim erat civium qui sibi solutam¹² P. Clodii præturam¹³ sine maximo rerum novarum metu proponeret? Solutam autem] fore videbatis,

bus ustulanda lignis.'

6. *Semust.*] Al. *semiustulatum*.—Phil. ii. 36. So 'semi' becomes, in effect, 'sem' before a vowel in Juv. iv. 27. Quum jam semianimum laceraret Flavius orbem.

7. *Nocturnis canibus*] From the times of Homer this has been a circumstance of aggravation...*αὐτοῦς δ' ἐλώρια τεύχε κύνεσσιν*. Æn. ix. 485. Heu terra ignota! canibus data præda Latinis, &c.

8. *Quare*] Al. *quam rem*.

9. *Nefarie*] Al. *necessario*, as if Sext. Clod. could not help abandoning the dead body, owing to the dangers arising from the burning senate-house. But, admitting this, it is evident that an action done through necessity, is the object neither of praise nor anger. Græv. therefore adopted '*nefarie*,' 'quia nefarie credebatur facere qui hominem spoliabat funere ac exequiis.—But where is the opposition between, 'although you acted like a villain,' and 'yet I cannot praise you?'—Either then take 'laudare non possum' parenthetically, 'yet (*while* I cannot praise your conduct);' or

arrange with Ern., 'quare, etsi, quia nefarie fecisti, laudare non possum, tamen quoniam in meo, &c....irasci certe non debes.' Wherefore, although because you acted the villain I cannot commend you, yet, &c. This Schutz adopts.

10. *Demons.*] Sc. Supr. 12. 'Atqui, Milone interfecto, &c.' This supplement included in brackets, is taken from the Taurinian palimpsest except the words in italics, supplied by Peyronius and better by Bierius *Audistis, judices, quantum Clodio profuerit*. Those who prefer the usual text may read after *non debeo*, (omitting the bracketed passage,) *P. Clodii præturam non sine maximo rerum novarum metu proponi, et solutam, &c.*

11. *Eo repugnante*] Clodio. For the election had proceeded so far as that all the tribes were polled. Inf. 35. 'populi cunctis suffragiis—se consulem declaratum.'

12. *Præturam*] He had digressed from this at 'An vero, judices, &c.' above.

13. *Solutam*] (Explained by 'constringere') 'was likely to break through every restraint.'

nisi esset is consul, qui¹⁴ eam auderet possetque constringere. Eum Milonem unum esse, quum sentiret universus populus Romanus, quis dubitaret suffragio suo se metu, periculo rempublicam liberare? At nunc¹⁵ Clodio remoto, usitatis jam rebus enitendum est Miloni, ut tueatur dignitatem suam. Singularis illa, et huic uni concessa gloria, et quæ quotidie augebatur frangendis furoribus Clodianis, jam Clodii morte cecidit. Vos adepti estis, ne quem civem metueretis: hic exercitationem virtutis, suffragationem consulatus, fontem perennem¹⁶ gloriæ suæ perdidit. Itaque Milonis consulatus, qui, vivo Clodio, labefactari non poterat, mortuo denique tentari cœptus est. Non modo igitur nihil prodest, sed obest etiam Clodii mors Miloni. At valuit¹⁷ odium, fecit iratus, fecit inimicus, fuit¹⁸ ultor injuriæ, punitor doloris sui. Quid? si hæc, non dico, majora fuerunt in Clodio quam in Milone, sed in illo maxima, nulla in hoc: quid vultis amplius? Quid enim odisset Clodium Milo, segetem¹⁹ ac materiem suæ gloriæ, præter hoc civile²⁰ odium, quo omnes improbos odimus? Ille, erat,²¹ ut odisset, primum defensorem²² salutis meæ, deinde vexatorem furoris, domitorem armorum suorum, postremo etiam accusatorem suum. Reus enim Milonis lege Plotia²³ fuit Clo-

14. *Is—qui*] i.e. 'Talis—qualis.' Hence the subjunc. 'audiret possetq.'

15. *At nunc*] *Al. At non.* But Cic. means that hitherto, Milo had a strong claim on the favour of the good by his opposing Clod.; now, however, that being removed, he must adopt the usual methods of obtaining popular favour. Therefore he was a loser by the death of Clodius.

16. *Fontem perennem*] Cited by Quint. viii. 6, where he treats 'de egregiis metaphoris.'

17. *At valuit, &c.*] But you will say, &c. The second argument.

18. *Fuit*] *Al. fecit.*

19. *Segetem*] Corn-land. Metaph., source, origin; which is also the meaning of 'materiem.' Sall. Cat.

10. *Ea quasi materies omnium malorum fuere.* Quint. viii. 6.

20. *Civile*] (Opposed to 'hostile,' 'internecivum') becoming citizens against citizens; moderate, proper.

21. *Ille, erat*] There was reason that he should hate, &c. Perhaps *illi erat* would be a preferable reading.

22. *Defensorem, &c.*] Cic. specifies three causes of enmity: 1. Milo, as tribune, had assisted in the recall of Cic. from exile; 2. he had opposed the Clodian mob in their attacks on the city; 3. he had accused Clodius.

23. *Lege Plotia*] Sc. *de vi.* M. Plotius Silvanus was the colleague of Carbo, noticed Arch. 5. Milo had charged Clodius with assaulting the workmen at Cicero's house, which was rebuilding at the public expense.

dius, quoad vixit.²⁴ Quo tandem animo hoc tyrannum²⁵ tulisse creditis? quantum odium illius? et in homine injusto,²⁶ quam etiam justum?

XIV. Reliquum est,¹ ut jam illum natura ipsius consuetudoque defendat, hunc autem hæc eadem coarguant. Nihil per vim² unquam Clodius, omnia per vii Milo. Quid ergo, iudices? quum, mœrentibus vobis, urbe cessi,³ iudiciūne timui? non servos, non arma, non vim? Quæ fuisset igitur causa justa restituendi mei, nisi fuisset injusta, ejiciendi? Diem mihi, credo, dixerat;⁴ multam irrogarat;⁵ actionem perduellionis⁶ intenderat: et mihi videlicet in causa, aut mala, aut mea,⁷ non et præclarissima et vestra, iudiciū timendum fuit. Servorum et egentium civium et facinorosorum armis meos cives, meis consiliis periculisque servatos, pro me objici nolui.⁸ Vidi enim, vidi, hunc ipsum Q. Hortensium,⁹ lumen et ornamentum reipublicæ, pæne interfici servorum manu, quum mihi adesset: qua in turba C. Vibienus, senator, vir optimus, cum hoc quum es-

24. *Reus enim—quoad vixit*] The accusation of Milo hung over Clodius till his death. Att. iv. 3.

25. *Tyrannum*] Clodium.

26. *Et in homine injusto*] And notwithstanding the injustice of Clodius, how fair and well-grounded?

SECT. XIV.—1. *Reliquum est, &c.*] Having argued, 1. from the 'cui bono'; 2. from personal hatred; he now urges the natural disposition of the parties; and shows that his client was always obedient to the laws; Clodius, always turbulent.—The third argument.

2. *Nihil per vim*] Ironically.

3. *Urbe cessi*] The day before Clodius's act against Cic. passed, he went into voluntary exile. 'Mœrentibus vobis,' alludes to the senators having put on mourning; and 'servos—arma' to the Clodian mob, who followed Cic. wherever he went, ridiculing his mourning garb.

4. *Diem mihi, credo, dixerat, &c.*] He had not followed any of the regular processes against Cic. 'Diem dicere,' the proper phrase as applied

to Clodius, then a tribune.

5. *Multam irrogare*] Is, when a tribune applies to the people to impose a fine.

6. *Perduellionis*] 'Perduellis,' the old word for 'hostis'—afterwards restricted to 'an enemy of the state.' Hence 'Perduellio,' treason; which, in this case, was Cicero's putting the conspirators to death without trial. 'Intendere' is a law term, 'meaning 'to bring a charge against.'

7. *Aut mala aut mea*] Al. *aut vestra mala, aut mea nec præclarissima*. The irony is continued: 'As if, forsooth, in a cause either bad or mine, and not both most excellent and yours, &c.'

8. *Nolui*] For Cicero's friends wished him to repel the force of Clod. by force.

9. *Q. Hortensium*] Manil. 17. n. 2. When Cic. was accused by Clod. it was proposed, by the senate, that the Roman people should go into mourning. This was opposed by the consuls, Gabinius and Piso; and some of the senators on leaving the

set una, ita est mulcatus¹⁰, ut vitam amiserit. Itaque quando illius postea sica illa, quam a Catilina¹¹ acceperat, conquievit? Hæc intentata nobis est; huic ego vos objici pro me non sum passus; hæc insidiata Pompeio¹² est; hæc istam Appiam [viam,] monumentum sui nominis, nece Papirii¹³ cruentavit; hæc, hæc eadem, longo intervallo,¹⁴ conversa rursus est in me; nuper quidem, ut scitis, me ad regiam¹⁵ pene confecit. Quid simile Milonis? cujus vis omnis hæc semper fuit, ne P. Clodius, quum in iudicium detrahi non posset, vi oppressam civitatem teneret. Quem si interficere voluisset, quantæ, quoties occasiones, quam præclaræ fuerunt? Potuitne, quum domum ac deos penates¹⁶ suos, illo oppugnante, defenderet, jure se ulcisci? potuitne, cive egregio et viro fortissimo, P. Sextio,¹⁷ collega suo, vulnerato? potuitne, Q. Fabricio,¹⁸ viro optimo, quum de reditu legem ferret, pulso, crudelissima in foro cæde facta? potuitne, L. Cæcili¹⁹, justissimi fortissimique prætoris, oppugnata domo? potuitne illo die, quum est lata lex de me?²⁰ quum totius Italiæ²¹ concursus, quem mea salus concitarat, facti illius gloriam lubens agnovisset: ut, etiam si id Milo fecisset, cuncta civitas eam laudem pro sua vindicare?

house were abused by the mob, among whom were Hortensius and Vibienus. So Plut. Cic. 29; but Cicero, Sext. 11, says that it was its own change of habit the senate decreed. The knights had done so of their own accord.

10. *Mulcatus*] Abused, ill-treated. Al. *multatus*, fined, amerced. Sed de verberibus *mulco*; de pœna exilii, pecuniæ, &c. *multo*—optime dicitur. *Forcel*.

11. *Cat.*] Whose early friend he had been. *Introd.* 2.

12. *Pompeio*] He means during the enmity between him and Clodius about Tigranes. *Supr.* 8. n. 8.

13. *Papirii*] *Supr.* 7. n. 10.

14. *Longo intervallo*] Cic. had been exiled in Macedonia, between the attacks.

15. *Ad regiam*] Att. iv. 3. 'Cum Sacra Via descenderem, insecutus est me cum suis: clamor, lapides, fustes, gladii, hæc improvisa omnia.'

'Regia,' sc. domus, which some suppose the palace of Numa; others, of Ancus Martius; others, of the Pontifex Max., was on the Via Sacra.

16. *Domum ac deos penates*] Att. iv. 3. This attack was made at eleven o'clock in the day, and defeated by a vigorous sally of Milo's friends under the command of Q. Flaccus.

17. *P. Sextio*] He was colleague of Milo in his tribuneship. In Sext. 39, it appears that he received twenty wounds in the affray.

18. *Q. Fabricio*] Another colleague of Milo's.

19. *L. Cæcili*] Prætor in the year of Cicero's return. Of this attack on his house, &c., nothing is known. In Sen. p. Red. 9.

20. *Lex de me*] Pis. 15. De me legem tulit P. Lentulus consul de collegæ Q. Metelli sententia.

21. *Cum totius Italiæ*] Pis. 22. A Brundisio usque Romam agmen

XV. At quod erat tempus?¹ Clarissimus et fortissimus consul, inimicus Clodio, P. Lentulus,² ultor sceleris illius, propugnator senatus, defensor vestræ voluntatis, patronus illius publici consensus, restitutor salutis meæ; septem prætores,³ octo tribuni⁴ plebis, illius adversarii, defensores mei; Cn. Pompeius⁵ auctor et dux mei reditus, illius hostis: cujus sententiam senatus omnis de salute mea gravissimam et ornatissimam secutus est; qui populum Romanum est cohortatus,⁶ qui, quum decretum de me Capuæ⁷ fecit, ipse cunctæ Italiæ cupienti et ejus fidem imploranti signum⁸ dedit, ut ad me restituendum Romam concurrerent; omnia tum denique in illum odia civium ardebant desiderio mei; quem [si] qui tum interemisset, non de impunitate ejus, sed de præmiis cogitaretur. Tamen se Milo continuit, et P. Clodium in judicium bis,⁹ ad vim nunquam vocavit. Quid? privato Milone,¹⁰ et reo ad populum, accusante P. Clodio, quum in Cn. Pompeium pro Milone dicentem impetus factus est: quæ tum non modo occasio, sed etiam causa¹¹ illius

perpetuum totius Italiæ viderem.—All these, had Milo slain Clodius, would have claimed the glory of the deed.

SECT. XV.—1. *At quod erat temp.*] Supply *id quo*; that in which. *Al. Atque erat id temp.*

2. *P. Lentulus*] Spinther.

3. *Septem Prætores*] There was one exception. Appius Claudius. Pis. 15.

4. *Octo tribuni*] There were two on Clodius's side, Q. Attil. Serranus, and Num. Quintius. Pis. 15. Sext. 33.

5. *Cn. Pompeius*] Pis. 15. Pompey had suffered Cic. to be banished as a punishment for his vanity; but finding that Clodius, presuming too much on his popularity, began to think himself a match for the triumvirate, he recalled Cic. in order to keep him in check.

6. *Qui—cohortatus*] The oration, ad Quir. p. Red. 7, contains an abstract of Pompey's speech on this occasion.

7. *Decretum Capuæ*] Pompey had

been appointed, by the Julian law, one of the Duumviri for governing the new colony at Capua; in right of which office he made this decree. Pis. 11. In Sen. p. Red. 11.

8. *Signum*] Properly, the sound of the trumpet; the watch-word. Sall. Cat. 62. Signa canunt. Virg. vii. 637, it bello tessera signum. 'Signum dedit,' gave the signal to convene, &c.

9. *Judicium bis*] Once, before the return of Cic., which was prevented by the prætor Appius, and tribune Serranus. Sext. 41. *A second time*, after his return, which was not completed before Clodius's death. Supr. 13. n. 24.

10. *Privato Milone*] As soon as Milo ceased to be tribune, he was accused, in turn, by Clodius, now ædile, and defended by Pompey, Crassus, and Cicero. Pompey, notwithstanding the continued clamour and abuse of the Clodian mob, spoke for nearly three hours. Q. Fr. ii. 3. Sext. 44. Introd. 3.

11. *Etiam causa*] Sc. to defend

opprimendi fuit? Nuper vero quum M. Antonius¹² summam spem salutis bonis omnibus attulisset, gravissimamque adolescens nobilissimus¹³ reipublicæ partem fortissime suscepisset, atque illam belluam, judicii laqueos declinantem, jam irretitam¹⁴ teneret: qui locus, quod tempus illud, dii immortales, fuit? Quum se ille fugiens in scalarum tenebras¹⁵ abdidisset, magnum Miloni¹⁶ fuit conficere illam pestem nulla sua invidia, Antonii vero maxima gloria? Quid? comitiis¹⁷ in campo quoties potestas fuit! quum ille [vi] in sæpta¹⁸ irrupisset, gladios distringendos, lapides jaciendos curasset, dein subito, vultu Milonis perterritus, fugeret ad Tiberim,¹⁹ vos et omnes boni vota faceretis,²⁰ ut Miloni uti virtute sua²¹ liberet.

XVI. Quem igitur¹ cum omnium gratia noluit, hunc voluit cum aliquorum querela? quem jure, quem loco, quem tempore, quem impune non est ausus; hunc injuria, iniquo loco, alieno tempore, periculo capitis, non dubitavit occidere? Præsertim, judices, quum honoris amplissimi² conten-

Pompey, his great patron.

12. *M. Antonius*] Phil. ii. 9. M. Antony was originally a friend of Cic. It is not known on what occasion he was so nearly earning this fame. Abram. conjectures the enrolment of the new colony, or Colline tribe, supr. 9. It is more likely that it occurred when Clodius opposed, with his mob, the attempt of Milo to bring him to trial for assaulting Cicero's house.

13. *Nobilissimus*] Phil. i. 12.

14. *Laqueos—irretitam*] Borrowed from hunting.

15. *Scalarum tenebras*] Tabernæ librariæ. Phil. ii. 9.; a stair-case.

16. *Magnum Miloni*] Hor. 'Magnum fecit;' a great exploit. We must suppose Antony to be acting under the direction of Milo, who had only to give him the hint, and Clodius would have been slain.

17. *Comitiis*] When he was obstructing the election of Milo, and favouring that of Scipio and Hypæus.

18. *Sæpta*] These were two en-

losures in the Campus Martius, (called, also, Ovilia) one, for the people to assemble in to vote; the other, for the magistrates, and the officers. They were connected by bridges (pontes), by which the electors passed to give their votes.

18. *Ad Tiberim*] For the Campus Martius was washed by that river.

20. *Vota faceretis*] So inf. 28. 'Vota enim faceretis ut, &c.'

21. *Uti virtute*] Exert his bravery; a euphem. for 'slay Clodius.'

SECT. XVI.—1. *Quem igitur, &c.*] The object of this long argument, from c. 14, is to prove, 'nihil per vim Milo.' As, however, it might be said that other motives besides the love of violence might have actuated Milo, Cic., ingeniously, here concludes more widely—that Milo having formerly omitted the fairest opportunities of killing Clodius, cannot be imagined to have done so now with every disadvantage.

2. *Honoris amplissimi*] The consulship.

tio et dies comitiorum subesset ; quo quidem tempore (scio enim, quam timida sit ambitio, quantaque et quam sollicita cupiditas consulatus,) omnia non modo, quæ reprehendi palam, sed etiam quæ obscure cogitari possunt, timemus ; rurem, fabulam³ fictam, levem perhorrescimus ; ora omnium atque oculos intuemur. Nihil enim est tam molle, tam tenerum, tam aut fragile, aut flexibile, quam voluntas erga nos sensusque civium : qui non modo improbitati irascuntur candidatorum,⁴ sed etiam in recte factis⁵ sæpe fastidiunt. Hunc diem igitur campi⁶ speratum atque exoptatum sibi proponens Milo, cruentis manibus scelus et facinus præ se ferens et confitens, ad illa augusta⁷ centuriarum auspicia veniebat ? quam hoc⁸ non credibile in hoc ! quam idem in Clodio non dubitandum ! qui⁹ se, interfecto Milone, regnaturum putaret. Quid ? quod caput audaciæ est, iudices : quis ignorat, maximam illecebram esse peccandi, impunitatis spem ?¹⁰ In utro igitur hæc fuit ? in Milone ? qui etiam nunc reus est facti, aut præclari,¹¹ aut certe necessarii. An in Clodio ? qui ita iudicia pœnamque contempserat, ut eum nihil delectaret, quod aut per naturam¹² fas esset, aut per leges liceret. Sed quid ego argumentor ? quid plura¹³ disputo ? te, Q. Petilli, appello, optimum et fortissimum civem : te, M. Cato, testor : quos mihi divina quædam sors dedit, iudices.

3. *Fabula*] Hearsay—which may be true or false ; limited here by the epithet ‘fictam.’ On the contrary, ‘fable’ (*contractè* ‘fib,’) is, with us, always applied to fiction. For *levem al. falsam*.

4. *Candidatorum*] The ‘toga’ of the aspirants to office was filled with chalk or pipe-clay, (hence ‘cretata ambitio’ Pers. v. 177,) to intimate the purity and sincerity of their motives : or, perhaps, to distinguish them from the crowd. This, however, was anciently forbidden by law. ‘Ne cui album in vestimentum addere, petitionis causa, liceret.’ Liv. iv. 25.

5. *Recte factis*] Upright actions. Hor. ‘Recte facta refert, &c.’

6. *Campi*] Sc. Martii. i. e. Comitiorum.

7. *Augusta*] i. e. ‘Auguriis con-

secrata.’ He means the comitia centuriata, at which the higher magistrates were elected.

8. *Quam hoc non*] For Milo was a respecter of religion—Clodius the reverse. Supr. 9. n. 7.

9. *Qui se*] Al. *quin*.

10. *Impunitatis spem*] He strengthens his conclusion still further, by showing that the hope of impunity lay all with Clodius. This may be considered the fourth argument.

11. *Aut præclari*] As being done to benefit the state ; ‘necessarii,’ as being in self-defence.

12. *Per naturam*] Clodius had committed incest with his sister ; ‘per leges,’ he had violated the laws respecting the mysteries of the Bona Dea.

13. *Sed quid plura*] When I can appeal to the personal knowledge of

Vos ex M. Favonio¹⁴ audistis, Clodium sibi dixisse, et audistis, vivo¹⁵ Clodio, periturum Milonem triduo. Post diem tertium¹⁶ gesta res est, quam dixerat. Quum ille non dubitaret aperire, quid cogitaret; vos potestis dubitare, quid fecerit?

XVII. Quemadmodum igitur¹ eum dies non fefellit?—Dixi equidem modo.² Dictatoris Lanuvini stata sacrificia³ nosse negotii nihil erat. Vidit, necesse esse Miloni, proficisci Lanuvium illo ipso, quo profectus est, die. Itaque antevertit: At quo die? quo, ut ante dixi, fuit insanissima concio, ab ipsius mercenario tribuno⁵ plebis concitata: quem diem ille, quam concionem, quos clamores, nisi ad cogitatum facinus approperearet, nunquam reliquisset. Ergo illi ne causa quidem itineris, etiam causa manendi: Miloni manendi nulla facultas,⁶ exeundi non causa solum, sed etiam necessitas⁷ fuit. Quid? si,⁸ ut ille scivit, Milonem fore eo die in via, sic Clodium Milo ne suspicari quidem potuit? Primum quæro, qui scire potuerit? quod vos idem in Clodio quærere non potestis. Ut enim neminem alium, nisi T. Patinam,⁹ familiarissimum suum, rogasset, scire potuit, illo ipso die Lanuvii a dictatore Milone prodi flaminem necesse esse. Sed erant permulti alii, ex quibus id facillime scire posset: omnes scilicet¹⁰ Lanuvini. Milo de Clodii reditu unde quæ-

some of my judges, that Clodius had resolved to slay Milo.—This evidence of the *animus* of Clodius, from his denouncing Milo's death within *three days*, constitutes the *fifth* argument.

14. *Favonio*] Supr. 9. n. 20.

15. *Vivo*] And could, therefore, have denied the charge.

16. *Post--tert.*] i.e. 'Tertio die postquam, &c.' It means 'the next day but one.'

SECT. XVII.—1. *Quemadmodum, &c.*] It might be objected to the fifth argument, that by specifying *days* it implied, what had not been proved, that Clodius had a knowledge of Milo's visit to Lanuvium. Cic. shows both how that knowledge could be obtained, and that to act upon it, Clodius had made the greatest personal sacrifice.

2. *Modo*] Namely, c. 10. 'Quum Clodius sciret, &c.'

3. *Stata sacrificia*] Quæ certis die-

bus fieri debent. *Fest.*

4. *Quo die*] Ante diem xiv. Cal. Febr., or the nineteenth of Jan. Inf. 'quem pridie, &c. eum postridie, &c.'

5. *Tribuno*] Quintus Pompey.—Introd. 4.

6. *Facultas*] Ad res, opes, artes; 'facilitas' ad mores, pertinet. *Fest.*

7. *Necessitas*] Supr. 10. Iter sollemne, legitimum, *necessarium*.

8. *Quid? si, &c.*] His opponents might retort, that even admitting Clodius to be aware of Milo's journey, there was the same reason to suspect Milo of knowing about Clodius's. Cic. denies that the cases are parallel; and points out various sources whence Clodius might have procured his information; whereas there was none open to Milo.

9. *Patinam*] A Lanuvian; and well skilled in the usages of the place.

10. *Scilicet*] This is to say, 'every

sivit? Quæsierit sane: videte, quod vobis largiar; servum etiam, ut Arrius,¹¹ meus amicus, dixit, corruerit.¹² Legite testimonia¹³ testium vestrorum. Dixit C. Cassinius, [cognomento] Schola, Interamnas,¹⁴ familiarissimus et idem comes P. Clodii; cujus jampridem¹⁵ testimonio Clodius eadem hora Interamnæ fuerat, et Romæ, P. Clodium illo die in Albano¹⁶ mansurum fuisse: sed subito ei esse nuntiatum, Cyrum¹⁷ architectum esse mortuum; itaque Romam repente constituisse proficisci. Dixit hoc comes item P. Clodii, C. Clodius.¹⁸

Lanuvian could inform you.' But the words are suspected to be a gloss on 'permulti,' and are bracketed by Garaton., &c.

11. *Q. Arrius*] Well known for a celebrated entertainment which he gave to the people, in honour of his dead father, by which he hoped to gain their favour in the event of his seeking the consulship. Vat. 12. This occurred in the consulship of Cæsar and Bibulus, A. U. 694.—Hence *Hor.*, 'epulum arbitrio Arri.' His suggestion here does not seem to have been the most friendly to Milo.

12. *Corruerit*] Though Cic. asserts that Milo had no means of knowing the return of Clodius from Aricia, yet, for argument's sake, he admits that he might have bribed a slave of Clodius to inform him. He then produces the testimony of Clodius's own witnesses, to prove that no such information could have been given; his (Clodius's) return to Rome being contrary to his intention, and owing to a circumstance that it was impossible to foresee.

13. *Testimonia*] These were taken before hand, and ready to be quoted. Supr. 1. n. 4.

14. *Interamnas*] A native of Interamna. There were several towns of this name in Italy; one on the Nar in Umbria, the birth-place of Tacitus, the historian, now called Terni; another in Picenum, now

called Teramo; and a third in Latium, at the confluence of the rivers Liris and Melpis. Phil. ii. 41.—Commentators prefer the first here; and the distance of any one of them is quite enough to make Cassinius's testimony sufficiently improbable.—'Eadem hora' is rhetorical, as Att. ii. 1., he says, 'e Sicilia septimo die Romam, tribus horis Roma Interamnam.' Dom. 30. 'Cur non juret se Gadibus fuisse, quum tu te fuisse Interamnæ probaveris.'

15. *Jampridem*] On the occasion of his trial for violating the mysteries of the Bona Dea, when Clodius attempted to prove an *alibi* by means of this Cassinius. Att. ii. 1. It may appear strange that Cic. should lessen the credit of this witness, at the very time that he is quoting him to make out a point for himself, viz.: that the return of Clodius being accidental, could not have been known by Milo. But it is enough for his present purpose that his opponents admit the truth of the testimonies by which he convicts them of charging himself and Milo falsely. He afterwards shows that the evidence was false, and this remark on Cassinius leads the hearer to expect as much.

16. *Albano*] Sc. Agro, where Clodius had a villa. It was so called from the ancient city of Alba, founded by Ascanius. Æn. i. 275.

17. *Cyrum*] Noticed also Q. Fr. ii. 2.

XVIII. Videte, iudices, quantæ¹ res his testimoniis sint confectæ. Primum certe liberatur Milo, non eo consilio profectus² esse, ut insidiaretur in via Clodio: quippe qui³ obvius ei futurus omnino non erat. Deinde (non enim video, cur non meum quoque agam negotium,) scitis, iudices, fuisse, qui in hac rogatione⁴ suadenda dicerent, Milonis manu cædem esse factam, consilio vero majoris alicujus. Me videlicet latronem ac sicarium abjecti homines et perditii describebant. Jacent⁵ suis testibus hi, qui Clodium negant eo die Romam, nisi de Cyro audisset⁶ fuisse rediturum. Respiravi; liberatus sum; non vereor, ne,⁷ quod ne suspicari quidem potuerim, videar id cogitasse.—Nunc persequar cetera.⁷ Nam occurrit illud: “Igitur ne Clodius quidem de insidiis cogitavit, quoniam fuit in Albano mansurus.” Siquidem exiturus ad cædem e villa non fuisset. Video enim, illum, qui dicitur de Cyri morte nuntiasse, non id nuntiasse, sed Milonem appropinquare. Nam quid de Cyro nuntiaret, quem Clodius Roma proficiscens reliquerat morientem? Una fui; testamentum simul

18. C. Clodius] The brother of Publius, whose two sons were accusers of Milo. Introd. 5.

SECT. XVIII.—1. *Quantæ res*] 1. That Clodius, whose return was thus proved accidental, could not have been waylaid by Milo; 2. that Cic., (every thing connected with whom was always ‘*quanta*,’) could not have instigated such an assault.

2. *Liberatur—non profectus esse*] An imitation of the Attic idiom which requires μή with the infin. after negative verbs; as ἀπαγορεύουσιν οὐ νόμοι μὴ κηρύττειν. Æsch. 15; also of the common Greek idiom, that the infin. takes a nom. case when its agent is the same with the preceding verb. The ordinary construction would be ‘profectum.’

3. *Quippe qui*] Orel. *quippe* [si ille.] But if *quippe* be retained, surely *qui* is the proper word to follow it.

4. *Hac rogatione*] Sc. that an extraordinary trial should be instituted.

5. *Jacent*] ‘They are convicted

by, &c.’; sc. by making his return accidental.

6. *Audisset*] Al. *auditum esset*.

7. *Vereor ne*] i. e. Vereor sed *nolo*; but—vereor ut; vereor sed *volo*. So Hor. Sat. ii. 1, 61. O puer, ut sis Vitalis, metuo; I am apprehensive that you may *not* be for this world, however I may wish it.

7. *Cetera*] We saw, supr. n. 1, how Cic. inferred the innocence of his client and himself, from the testimony of Cassinius. Why then pursue the argument farther (persequar cetera)? Because *their* inference remained (‘occurrit illud,’ this objection meets me,) sc.: that since Clodius was to stay all night in his Alban villa, *therefore* he did not even think of waylaying Milo. Admitted, says Cic., if he had not been to leave it to execute his bloody task (‘Siquidem, &c.’); *which I find to be the case*; for I see the real business of the so-called messenger, about Cyrus, &c. ‘Siquidem, &c.,’ therefore, is the answer of Cic. to their in-

obsignavi⁸ cum Clodio ; testamentum autem palam⁹ fecerat, et illum heredem¹⁰ et me scripserat. Quem pridie hora tertia¹¹ animam efflantem¹² reliquisset, eum mortuum postridie hora decima denique ei nuntiabatur ?

XIX. Age, sit ita factum :¹ quæ causa, cur Romam properaret ? cur in noctem se conjiceret ? Quid afferebat festinationis,² quod heres erat ? Primum erat nihil,³ cur properato opus⁴ esset : deinde, si quid esset, quid tandem erat, quod ea nocte consequi posset, amitteret autem, si postridie mane Romam venisset ? Atque, ut⁵ illi nocturnus ad urbem adventus vitandus⁶ potius, quam expetendus fuit : sic Miloni, quum insidiator esset, si illum ad urbem noctu accessurum sciebat, subsidendum⁷ atque expectandum fuit. Noctu in-

ference, and is to be separated from it by a full point, as Schutz and Orel. have done.

8. *Testamentum obsignavi*] So that the legatees were the witnesses. This was not afterwards the case, as Ulpian testifies.

9. *Palam*] For it was customary to make and keep a will *privately*, after signing and sealing it in the presence of certain witnesses. Hor. Sat. ii. 5.

10. *Illum heredem*] This was thought honorable to the individual, independently of the profit.—Phil. ii. 16. ‘Hereditates mihi negasti, &c.’

11. *Hora tertia*] Nine o'clock ; ‘decima,’ four o'clock, at the equinox ; now somewhat earlier. Supr. 10. n. 24.

12. *Animam efflantem*] Poeticè potius quam oratoricè, pro ‘morientem.’ Hom. *Θυμὸν ἀποπνεύων*.—Virg. xi. Confixi expirant animas.

SECT. XIX.—1. *Sit ita factum*] ‘Admitting that he was informed of Cyrus’s death ;’ the remaining part of the ‘cetera ;’ i. e. of Cassinius’s evidence.

2. *Festinationis quod*] The readings are here various, the sense nearly the same. Ern. *causam festi-*

nationis ? Græv. *causa fest. Al. festinatio.* Tr. What cause for haste did his being made heir bring with it ?

3. *Primum nihil*] Clodius, as a legatee, might have been called on to take charge of the funeral. That duty, we may suppose, was assigned to another.

4. *Properato opus*] ‘Opus,’ a subst. neut. used either personally, as, ‘dux nobis et auctor opus est,’ Cic., or impers. as here ; the part. pass. being used for the second sup. Sall. Cat. 1. ‘Priusquam incipias consulto, &c., opus est.’

5. *Atque ut*] Having spoken of travelling by night, Cic. is led to consider the *time* and *place* of the rencounter. This constitutes his *sixth* argument. Vid. supr. 16. n. 13. for the *fifth*.

6. *Vitandus*] The general odium in which he was held laid him open to nocturnal attacks ; and, therefore, made it advisable to avoid late journeys.

7. *Subsidendum*] In insidiis subsistendum. Inf. ‘In eo loco subsedit.’ The part. in *dus* with *fuit* expresses the propriety, duty, &c. of an act which might have taken place, but did not. So here, ‘It was Milo’s business to have lain in wait for him, though he did not.’

sidioso et pleno latronum in loco occidisset;⁸ nemo ei neganti non credidisset, quem esse omnes salvum, etiam confidentem, volunt. Sustinisset hoc crimen primum ipse ille latronum occultator et receptator⁹ locus, dum neque muta solitudo indicasset, neque cæca nox ostendisset Milonem; deinde ibi multi ab illo violati, spoliati, bonis expulsi, multi etiam hæc timentes in suspicionem caderent; tota denique rea citaretur Etruria.¹⁰ Atque die illo¹¹ certe Aricia¹² rediens devertit Clodius ad se in Albanum. Quod ut sciret¹³ Milo, illum Ariciæ fuisse, suspicari tamen debuit, eum, etiam si Romam illo die reverti vellet, ad villam suam,¹⁴ quæ viam tangeret, deversurum. Cur neque ante occurrit, ne ille in villa resideret; nec eo in loco¹⁵ subsedit, quo ille noctu venturus esset? Video adhuc¹⁶ constare omnia, iudices. Miloni etiam utile fuisse Clodium vivere; illi

8. *Noctu—occidisset*] This clause is not found in many MSS. and early editions, and indeed it might well be spared. The usual translation is: 'he *might* have slain him, &c.' But taken in connexion with 'subsidentum fuit,' it should rather be, 'he *ought* to have slain him, &c.; *if he had*, none would have disbelieved, &c.' Perhaps a better construction is: 'Had he slain him by night, (as I have recommended,) and in a place notorious for plots and robberies, (which it was easy to select,) every one would have believed, &c.; the place would have borne the blame, &c.' 'Insidioso:' al. *invidioso*, i. e. of ill-repute.

9. *Ipse ille—recept.*] These words and *ibi* inf. show that Cic. had a particular spot in view. Ascon. informs us that it was the tomb of one Basilus, on the Appian way, notorious for harbouring robbers and their booty. Refer 'locus' to 'insidioso loco,' and 'cæca nox' to noctu.

10. *Etruria*] Supr. 9. 'Etruriam vexaverat,' and the injured may be expected to feel the desire of revenge.

11. *Atque illo die*] The *seventh* argument. The preceding, sup. n.

5. was that were Milo the aggressor, his attack should have been made 'at night near the city.' This he here varies by supposing his client to be aware that Clodius, whose country-seat lay between Rome and Aricia, was at that town; and by asking, what particular spot an aggressor so informed would choose for his attack? Evidently either *between* Aricia and the villa, lest he might call there and not leave it; or near the city, where his journey would be in the shades of night. But Milo chose neither, &c.

12. *Aricia*] A town of Latium, on the Appian way. Hor. Sat. i. 5.

13. *Quod ut sciret*] But admitting Milo knew of Clodius's being at Aricia, (namely, by corrupting his slaves.) Supr. n. 11. C. 17. n. 12.

14. *Ad villam suam*] *His own* rather than Pompey's, which lay a short distance from the road, and at which it will be seen (c. 20.) that he made a call.

15. *Nec in eo loco*] Sc. at the tomb of Basilus, as noted above.

16. *Video adhuc*] He recapitulates the various arguments from c. 12, (omitting, however, the *fourth*, (supr.

ad ea, quæ concupierat, optatissimum interitum Milonis: odium fuisse illius in hunc acerbissimum; in illum hujus nullum; consuetudinem illius perpetuam in vi inferenda; hujus tantum in repellenda: mortem ab illo denuntiata Miloni et prædicata palam; nihil unquam auditum ex Milone: profectionis hujus diem illi notum; reditum illius huic ignotum fuisse: hujus iter necessarium; illius etiam potius alienum: hunc præ se tulisse, se illo die Roma exiturum, illum eo die se dissimulasse rediturum: hunc nullius rei mutasse consilium; illum causam mutandi consilii finxisse: huic, si insidiaretur, noctem prope urbem expectandam; illi, etiam si hunc non timeret, tamen accessum ad urbem nocturnum fuisse metuendum.

XX. Videamus nunc id, quod caput est: locus ad insidias ille ipse, ubi congressi sunt, utri tandem fuerit aptior. Id vero, judices, etiam dubitandum et diutius cogitandum est? Ante fundum¹ Clodii, quo in fundo, propter insanas² illas substructiones, facile³ mille hominum versabatur valentium,⁴ edito⁵ adversarii atque excelso loco superiorem se fore putabat Milo, et ob eam rem eum locum ad pugnam potissimum delegerat? An in eo loco est potius expectatus ab eo, qui ipsius loci spe facere impetum cogitarat? Res loquitur,⁶ judices, ipsa; quæ semper valet plurimum. Si hæc non gesta⁷ audiretis, sed picta videretis; tamen appareret, uter esset insidiator, uter nihil cogitaret mali, quum alter

16. n. 10,) and particularizing the several subsidiary points of the fifth,) and then proceeds (videamus nunc) to consider the actual *site* of the encounter. He had noticed where he ought to have attacked him if he were the assailant, now he considers where (as was said) he *did*. The *eighth* argument.

SECT. XX.—1. *Ante Fundum*.] Supr. 10. n. 7. 23.

2. *Insanas*.] Quas insani faciunt. Inf. 'insanis molibus.'

3. *Facile*] Not less than;—pro 'certo'; and 'mille' 'here a subst. It may be an adjunct. as Virg. 'Sub quo mille manus juvenum'; and Manut. would make it so here, 'multitudo' being understood, but it is quite un-

necessary.

4. *Valent*.] We say 'able-bodied.' Robusti et valentes satellites. Agr. ii. 31. 'Versabatur' usually rendered 'were employed'; but Forcel. says, 'were contained'—'was room for.'

5. *Edito adversarii atq; excelso*] 'Adversarii', i. e. Clodii, is omitted in the Delph. Tr. Did Milo think, in front of Clodius's farm, &c. on the high and lofty ground of his opponent, to come off superior.

6. *Res loquitur*] Without me.

7. *Si hæc gesta, &c.*] He now proceeds to argue from the concomitant circumstances, the vehicle, dress, train, &c. This *ninth* argument, with the explanations arising from it, extends to c. 23.

veheretur in rheda pænulatus, una sederet uxor⁸. Quid horum non impeditissimum? vestitus, an vehiculum, an comes? quid minus promptum ad pugnam, quum pænula irretitus,⁹ rheda impeditus, uxore pæne constrictus¹⁰ esset? Videte nunc¹¹ illum, primum egredientem e villa, subito; cur? —vesperi: quid necesse est?—tarde: qui convenit, id præsertim temporis? Devertit in villam Pompeii. Pompeium ut videret? Sciebat in Alsiensi¹² esse. Villam ut perspiceret? Millies in ea fuerat. Quid ergo erat? Mora et tergiversatio.¹³ Dum¹⁴ hic veniret, locum relinquere noluit.

XXI. Age nunc, iter expediti¹ latronis cum Milonis impedimentis comparete. Semper ille antea cum uxore:² tum sine ea. Nunquam non in rheda: tum in equo. Comites Græculi,³ quocunque ibat, etiam quum in castra Etrusca⁴ properabat;

8. *Rheda—uxor*] Supra. 10. n. 13. 16.

9. *Pænula irretitus*] For the 'pænula' was a close-fitting overall without sleeves, which confined the arms. It was either made of wool or skin, and was principally used in travelling.

10. *Pæne constrictus*] For he had said 'una sederet uxor.'

11. *Videte nunc*] The connexion here may perhaps be better seen by supplying the phrases understood. Cic. in reference to Clodius's hurrying out of his villa, asks why he did so? The Clodians reply, because it was evening, and he had to hasten to Rome. Cic. demands to know what necessity there was for his travelling in the evening. They reply—that he came *late* (*tarde*) to his villa, and could not therefore set out sooner. But why throw himself *late* in coming there from Aricia, particularly at that season of the year? He could not help it. He had called at Pompey's villa on his way. What business had he there, when he knew Pompey was not at home? &c. &c. This reference of 'tardè' to Clodius's arrival *at* instead of his setting out *from* his villa, appears to be the only way to prevent 'tarde' from being a mere repetition of 'vesperi'. If again we interpret 'tarde' 'leisurely, slowly, it will agree neither

with the reference to leaving his villa; for it was done 'subito'; nor to coming to it; for calling at Pompey's need not make him travel 'leisurely'.

It may be added, that 'tarde' often signifies 'sero'. Hor. ii. 2. 91. *Tardius* adveniens hospes. Acad. iv. 1. 'Triennio *tardius* quam debuerat, triumphavit'. Lamb. expunges 'est tarde' altogether, which is a ready way of solving the difficulty.

12. *Alsiensi*] Int. *Villa vel agro*. Alsium was a town of Etruria on the sea coast, near Ostia.

13. *Tergiversatio*] Al. *moræ et tergiversationis*. It alludes either to his shifting to Pompey's villa as an excuse, or to his sauntering *back* and *forward* on the road to meet Milo.

14. *Dum*] Donec. Ter. Eun. i. 2. 126. *Exspectabo dum venit*.

SECT. XXI.—1. *Expediti*] Opposed to 'impedimentis', and both derived from *pes*. Supra. 10. n. 15.

2. *Uxore*] Fulvia. Infr. Phil. ii. 5.

3. *Græculi*] Used by way of contempt. Juv. Sat. 3. 76. They were perhaps professors of music and the fine arts; perhaps worse.

4. *Castra Etrusca*] He hints that Clodius was privy to the conspiracy of Catiline, whose army was encamped under Manlius in Etruria.

tum rugarum⁵ in comitatu nihil. Milo, qui nunquam, tum casu pueros symphoniacos⁶ uxoris ducebat, et ancillarum greges. Ille, qui semper secum scorta, semper exoletos,⁷ semper lupas⁸ duceret, tum neminem, nisi ut virum a viro⁹ lectum esse diceres. Cur igitur victus est? Quia non semper viator a latrone, nonnunquam etiam latro a viatore occiditur: quia, quamquam paratus in imparatos Clodius, tamen mulier¹⁰ inciderat in viros. Nec vero sic erat unquam non paratus Milo contra illum, ut non satis fere esset paratus. Semper ille, et quantum interesset P. Clodii,¹¹ se perire, et quanto illi odio¹² esset, et quantum ille auderet, cogitabat. Quamobrem, vitam suam, quam maximis præmiis propositam et pæne addictam¹³ sciebat, nunquam in periculum sine præsidio et sine custodia projiciebat. Adde casus, adde incertos exitus pugnarum, Martemque communem¹⁴, qui sæpe spoliantem jam et exultantem evertit, et perculit ab abstracto¹⁵. Adde inscitiam¹⁶ pransi, poti, oscitantis¹⁷ ducis; qui quum a tergo hostem interclusum reliquisset,¹⁸ nihil de

5. *Nugarum*] For 'nugatorum,' triflers. Att. vi. 3. Amicos habet meras nugas, Montinium, Scaptium.

6. *Pueros symphoniacos*] Choristers, singing-boys, *συμφωνιακοί*; from *συμφωνία*, a harmony of mingled sounds.

7. *Exoletos*] Propr. 'adult;,' hence 'pueri meritorii dicuntur adultæ jam ætatis.' *Forcel.*

8. *Lupas*] Intimating a greater degree of immodesty than 'scorta' who at least wore clothes. Hor. 'Cum tibi vestiti facies scorti placet, hæres.'

9. *Virum a viro*] The Roman soldiers were permitted, when going on a dangerous service, to choose their comrades. Liv. ix. 39.

10. *Mulier*] So Hom. 'Ἀχαΐδες ἐκ ἔρ' Ἀχαιοί. Virg. O vere Phrygiæ! neque enim Phryges.

11. *Interesset P. Clodii*] i. e. Esset inter rem P. Clodii. For 'Milone interfecto, hoc assequebatur, non modo ut prætor esset non eo consule, &c.' Supr. 12.

12. *Quanto illi odio*] Ille, erat, ut odisset, primum defensorem salutis

meæ, &c. Supr. 12.

13. *Propositam et pæne addictam*] The allusion is to a sale, where an object is first set up and then knocked down, assigned to, the highest bidder.

14. *Martem communem*] Iliad. xviii. 308.

Ἑνὸς ἐννάλιος, καὶ τὸν κτανέοντα κατέκτα.

15. *Ab abstracto*] The instrumentality of.

16. *Inscitiam*] Stultitiam. *Lamb.*

17. *Oscitantis*] Yawning—sluggish. Ter. Andr. i. 2. 'Sperantes jam amoto metu interea oscitantes opprimi'; where Donatus: 'Oscitatio' est animi otium et securitas; dictum ab 'ore ciendo.'

18. *Qui—reliquisset*] Clodius thought every thing safe, when Milo had passed him, and was separated from his party, forgetting the famous gladiators, Eudamus and Birrhia, in the rear of Milo's retinue; from the latter of whom, as Ascon. relates, Clod. received a dangerous wound in the shoulder. *Intro. 4.*

ejus extremis comitibus cogitavit: in quos incensos ira, vitamque domini desperantes quum incidisset, hæsit in iis pœnis, quas¹⁹ ab eo servi fideles pro domini vita expetiverunt. Cur igitur²⁰ eos manumisit? Metuebat scilicet, ne indicarent; ne dolorem perferre non possent; ne tormentis cogerentur, occisum esse a servis Milonis in Appia via P. Clodium confiteri. Quid opus est tortore? quid quæris? Occideritne? Occidit. Jure, an injuria? Nihil ad tortorem? Facti enim in eculeo²¹ quæstio est, juris in judicio.

XXII. Quod igitur in causa quærendum est, id agamus hic: quod tormentis invenire vis, id fatemur. Manu vero cur miserit, si id potius quæris, quam cur parum amplis affecerit præmiis, nescis inimici¹ factum reprehendere. Dixit enim hic idem, qui omnia semper constanter et fortiter, M. Cato, dixitque in turbulenta concione, quæ tamen hujus auctoritate placata est,² non libertate solum, sed etiam³ omnibus

19. *Pœnis, quas*] A Euphemism. So supr. 10. 'fecerunt id, &c.' where vid. n.

20. *Cur igitur, &c.*] Having admitted the fatal interference of the slaves, Cic. might fairly be asked to submit them to examination, as they must be aware of the facts of the case. He replies that it was useless. These facts were acknowledged—Milo slew Clodius; and farther than this the testimony of slaves could not go. But here it is obvious to remark, that while Milo admitted he had slain Clodius, he urged that he had done so under peculiar circumstances; namely, in self-defence. Now to the existence of these peculiar circumstances it was surely competent for the slaves to depose; but this question of *fact* Cic. artfully confounds with the question 'jure, an injuria.' Vid. supr. c. 2. n. 20.

This reply about the slaves (c. 22.) is introduced between the *ninth* and *last* argument.

21. *Eculeo*] 'Equuleus' is 1. a foal, young horse. Liv. xxiii. 31. *Bos equuleum peperit.* 2. An instrument of torture made like a horse; 'in quæ sontes distendebantur, et torquebantur.' *Forcel.* From the expression of Curtius, however, vi. 6. 'in equuleum impositi,' it would appear that the vic-

tim was seated on the machine; whence some have thought that the torture consisted in being obliged to sit upon a sharp pointed seat which was forced by pressure into the body.

SECT. XXII.—1. *Nescis inimici, &c.*] Because you fix your censure on that point of his conduct which is deserving of the highest praise; whereas the proper complaint would be a charge of ingratitude for inadequately rewarding conduct so meritorious. And this the assertion of Cato is sufficient to prove (*dixit enim—M. Cato*).

2. *Quæ—placata est*] Virg. 'Ac veluti magno in populo cum sæpe coorta est Seditio, &c.' We may suppose that in some of the numerous turbulent assemblies which preceded this trial, the Clodians, wishing to have the authority of Cato on their side, had called on him to censure Milo for manumitting his slaves. His resolute reply, while it frustrated their hopes, had the effect of calming their turbulence.

3. *Non libertate solum, sed etiam*] Therefore Milo was obnoxious to the charge of illiberality; which his opponents did not see.

præmiis dignissimos fuisse, qui domini caput defendissent. Quod enim præmium satis magnum est tam benevolis, tam bonis, tam fidelibus servis, propter quos⁴ vivit? Etsi id⁵ quidem non tanti est, quam quod propter eosdem non sanguine et vulneribus suis crudelissimi inimici mentem oculosque satiavit. Quos nisi manumisisset, tormentis etiam dedendi fuerunt,⁶ conservatores domini, ultores sceleris, defensores necis. Hic vero nihil habet in his malis, quod minus moleste ferat,⁷ quam, etiam si quid ipsi accadat,⁸ esse tamen illis meritum præmium persolutum. Sed quæstiones urgent Milonem, quæ sunt habitæ⁹ nunc in atrio Libertatis. Quibusnam de servis¹⁰? Rogas? De P. Clodii. Quis eos postulavit? Appius. Quis produxit? Appius.¹¹ Unde? Ab Appio.¹² Dii boni¹³! quid potest agi severius? De servis nulla lege quæstio est in dominos, nisi de incestu,¹⁴ ut fuit in Clodium.¹⁵ Proxime deos accessit¹⁶ Clodius, propius quam tum, quum ad

4. *Propter quos*] By whose instrumentality. 'Propter' here imports the efficient cause, for which 'per' is more common. Inf. 30. 'Lugere eum solum propter quem ceteri lætarentur.

5. *Esti id, &c.*] Though a brave man despises death, yet he shuns to gratify his foes by the manner of it.

6. *Fuerunt*] Al. *fuissent*.—"With the participle of the future in *rus* and passive in *dus*, the indicative of sum in the past time is much more commonly used than the subj." Zumpt's L. Gram. p. 295. Supr. 11. n. 7.

7. *Minus moleste ferat*] A 'Litotes' for 'yields more satisfaction.'

8. *Si quid ipsi accadat*] Manil. 20. n. 1.

9. *Quæ sunt habitæ*] This should mean 'are held;' 'are over;' but it is sometimes in a *present* sense; 'are [being] held.' So 'Comitia habitæ' and the like.

10. *Quibusnam de servis*] When Appius could not procure the slaves of Milo for examination, he had recourse to those of P. Clodius. Cic. shews the fairness that may be expected from slaves *drilled* by the accuser. Inf. Quid hac quæstione dici potest integrius? quid incorruptius?

11. *Quis—Appius*] Vid. Quint. ix. 3, respecting this figure.

12. *Unde? ab Appio*] Ulpian. refert, 'ad quæstionem non provocandos eos, quos accusator de domo sua produxit.'

13. *Dii boni, &c.*] This exclamation is not ironical. It was a real hardship that the slaves of Clodius should be subjected to the torture ostensibly against their master, but really against Milo; from which they were protected 'more majorum' as Cic. (Deiot. 1.) says; by a decree of the senate, as Tacitus. Ann. ii. 30.

14. *Nisi de incestu*] The reason of this exception was the impossibility of detecting the crime by the ordinary means. If proved at all, it should be proved by slaves. It would appear that the exception was afterwards done away with. Vid. Abram. note.

15. *Ut fuit in Clodium*.] The mention of incest, under which was included every species of sacrilege, permits Cic. to return to his favourite charge against Clodius, the violation of the rites of the Bona Dea.

16. *Proxime deos accessit*] Because he is put on a par with them in the mode of examination touching his

ipsos penetrarat; cujus de morte, tanquam de cæremoniis¹⁷ violatis quæritur. Sed tamen¹⁸ majores nostri in dominum de servo quæri noluerunt, non quia non posset verum inveniri, sed quia videbatur indignum, et dominis morte ipsa tristius. In reum de servis accusatoris quum quæritur, verum inveniri potest? Age vero, quæ erat, aut qualis quæstio? Heus tu, Rufio, verbi causa,¹⁹ cave sis mentiare. Clodius insidias fecit Miloni.²⁰ Fecit. Certa crux.²¹ Nullas fecit. Sperata libertas. Quid hac quæstione certius? Subito arrepti²² in quæstionem, tamen separantur a ceteris, et in arcas²³ conjiciuntur, ne quis cum iis colloqui possit. Hi centum dies²⁴ penes accusatorem²⁵ quum fuissent, ab eo ipso accusatore producti sunt. Quid hac quæstione dici potest integrius? quid incorruptius?

XXIII. Quod si nondum¹ satis cernitis, quum res ipsa tot

death. The violation of their mysteries demands the inquisition. The death of Clodius has called for the same. This is a nearer approach to divinity than was even his famous adventure at Cæsar's house.

17. *Cæremoniis*] Val. Max. (i. 1.) derives this word from Cære, the name of a town in Etruria, to which he says the Romans in the Gallic war confided their sacred rites, and received them again in safety. Rather because the Roman rites were mainly Etrurian, if we do not prefer to take it from 'cælum.' qu. 'cælimonia,' as 'cæruleus,' qu. 'cæluleus.'

18. *Sed tamen &c.*] Were the slaves of Milo examined against Milo, the truth might easily be elicited; for it was not the difficulty of arriving at the truth, but the indignity of the proceeding that dictated the rejection of such testimony;—but where the slaves of the accuser are questioned against the arraigned, of Appius against Milo, is truth to be expected? He illustrates this by giving a specimen of the mode of examination. 'Age vero, &c.'

19. *Verbi causa*] Al. *Ubi Cusca?* and for Rufio, *Ruscio*.

20. *Clodius—Miloni*] Ulpian informs us, that it was especially required

in the *questioning* to make it general, and mention no one by name.

21. *Certa crux*] To which is opposed 'Sperata libertas;' for crucifixion was the proper punishment of slaves.

22. *Subito arrepti, &c.*] He contrasts the proceedings in other *questions* with the present. In them, slaves hurried to the examination without any previous warning, are yet kept apart from the others in solitary confinement, whence they are produced when required. In this case the prosecutor, after a hundred days tampering with them, produces them for examination. 'Subito arrepto' is opposed to 'centum dies.'

23. *In arcas*] Cells in gaols and private houses for the solitary confinement of culprits or slaves. Abram. mistakes them for instruments of torture.

24. *Centum dies*] Inf. 35. Centesima lux, est hæc et altera.

25. *Penes accusatorem*] i. e. In the house of the prosecutor.

SECT. XXIII.—1. *Quod si nondum, &c.*] The only ground of argument remaining to Cic. after so many being urged, was—'a consequentibus'—from the conduct of Milo after

tam claris argumentis signisque luceat; pura mente atque integra Milonem, nullo scelere imbutum, nullo metu perterritum, nulla conscientia exanimatum, Romam revertisse:² recordamini, per deos immortales! quæ fuerit celeritas reditus ejus: qui ingressus in forum, ardente curia: quæ magnitudo animi, qui vultus, quæ oratio. Neque vero³ se populo solum, sed etiam senatui commisit: neque senatui modo, sed etiam publicis præsidiis⁴ et armis: neque his tantum, verum etiam ejus potestati,⁵ cui senatus totam rempublicam, omnem Italiæ pubem, cuncta populi Romani arma commiserat: cui nunquam se hic profecto tradidisset, nisi causæ suæ confideret: præsertim omnia audienti, magna metuenti, multa suspicanti, nonnulla credenti. Magna vis⁶ est conscientiæ, judices, et magna in utramque partem: ut neque timeant, qui⁷ nihil commiserint, et pœnam semper ante oculos versari putent, qui peccarint. Neque vero sine ratione certa causa Milonis semper a senatu probata est. Videbant enim sapientissimi homines facti rationem,⁸ præsentiam animi, defensionis constantiam. An vero obliti estis, judices, recenti illo nuncio necis Clodianæ, non modo inimicorum Milonis ser-

the fatal rencounter, his expeditious return, his lofty bearing and language! These could only result from conscious innocence. c. 23. 24.

2. *Romam revertisse*] Yet Milo, as Ascon. relates, did not return to Rome till late the following day, by which time the Clodians, by their violence in burning the senate house, (ardente curia,) had turned the tide of popular feeling in his favour. *Intro.* 4.

3. *Neque vero se, &c.*] This climax is imitated from Dem. *de Cor.* 55. Οὐκ εἶπον μὲν ταῦτα, ἐκ ἔγραψα δὲ· ἐδὲ ἔγραψα μὲν, ἐκ ἐπρέσβευσα δὲ· ἐδὲ ἐπρέσβευσα μὲν, ἐκ ἔπεισα δὲ θηβαίους.

4. *Publicis præsidiis, &c.*] i. e. To Pompey and the levies under his command. But this surrender to the public authorities did not take place immediately; as at least two months intervened before the senate agreed on the appointment of Pompey to be sole consul. During this time Milo was witness to the 'note of prepara-

tion' against himself, yet chose to abide the consequences rather than submit to a voluntary exile.

5. *Potestati*] The sole consulship, with plenary authority from the senate. *Intro.* 4.

6. *Magna vis, &c.*] This subject is dilated on by Plut. and Juv. Sat. xiii. 196; the latter of whom thinks it exceeds the torments of hell, 'Nocte dieque suum gestare in pectore testem.' 'Neque;' both—not. So Phil. ii. 42. *neque desideravit, &c.*; both did not want, &c.

7. *Timeant, qui, &c.*] Abram. quotes as in accordance with this, the answer of Bias; who being asked what there was in life devoid of fear, replied 'a good conscience.'

8. *Facti rationem*] 'The grounds on which he defended his conduct.' This technical use of the phrase is illustrated, *Auct. ad Herenn.* i. 16, by the case of Orestes, who, when charged with the murder of his mother 'affert *rationem facti*; illa enim, inquit, pa-

mones et opiniones,⁹ sed nonnullorum etiam imperitorum?¹⁰ Negabant eum Romam esse rediturum. Sive enim illud animo irato ac percito fecisset, ut incensus odio trucidaret inimicum, arbitrabantur,¹¹ eum tanti mortem P. Clodii putasse, ut æquo animo patria careret, quum sanguine inimici explesset¹² odium suum: sive etiam illius morte patriam liberare voluisset, non dubitaturum fortem virum, quin, quum suo periculo salutem reipublicæ attulisset, cederet æquo animo legibus,¹³ secum auferret gloriam sempiternam, nobis hæc fruenda relinqueret, quæ ipse servasset. Multi etiam Catilinam atque illa portenta¹⁴ loquebantur: ‘ERUMPET,¹⁵ occupabit aliquem locum, bellum patriæ faciet.’ Miseros¹⁶ interdum cives, optime de republica meritos!¹⁷ in quibus homines non modo res præclarissimas obliviscuntur, sed etiam nefarias suspicantur. Ergo illa falsa fuerunt: quæ certe vera extitissent,¹⁸ si Milo admisisset¹⁹ aliquid, quod non posset honeste vereque defendere.

XXIV. Quid?¹ quæ postea sunt in eum congesta: quæ

trem meum occiderat.’ In Milo’s case the ‘ratio facti’ was the lawfulness of self-defence.

9. *Opiniones*] ‘Opinio’ is often not merely the mental conception, but that conception expressed in words; a rumour, a report; and hence synonymous with ‘sermones’ preceding. Manil. l. n. 7. Suet. in Ner. 53. Exiit opinio, eum descensurum ad Olympia inter athletas.

10. *Nonnull. imper.*] Who though not the enemies of Milo, were yet ignorant ‘rationis facti.’ Al. insert *qui* before ‘negabant.’

11. *Arbitrabantur*] Sc. the ‘imperiti.’

12. *Sanguine—explesset*] Parallel expressions abound in Hom. and Virg. Vid. Il. iv. 35, and xxii. 346; Æn. ii. 298; vii. 567.

13. *Legibus*] Which announces exile to the homicide. But Ern. puts it in brackets, and understands ‘cedere’ as ‘abire.’ Inf. 13. Cedam atque abibo.

14. *Multi*] Sc. ‘inimici,’ as above.

14. *Illā portenta*] Those monsters of men, ex. g. Lentulus, Cethegus.

Delph. But had these been meant, Cic. would have added their names, as, de Prov. Cons. l. Gabinius et Piso, duo reip. portenta. Understand then rather ‘those monstrous enormities of which Catiline was guilty.’

15. *Erumpet*, &c.] This word which properly signifies ‘to gush as water out of a fountain,’ Cic. had already in some degree appropriated to the hurried departure of Catiline from the city. Cat. ii. l. ‘Abiit,’ excessit, evasit, ERUPIT.’ So Sall. Cat. 43. ‘Simul cæde et incendio percussis omnibus, ad Cat. erumperent.’ By using it here, the enemies of Milo meant to suggest a parallel between him and that conspirator.

16. *Miseros*, &c.] The interj. *prô*, or the like, is here suppressed.

17. *Optime de—meritos*] Deserving best at the hands of; having best served.

18. *Extitissent*] Arch. i. n. 10.

19. *Admisisset*] Had committed. Hor. Tu nihil admittes in te formidine pœnæ.

SECT. XXIV.—1. *Quid*] Sc. dicam.

quemvis etiam mediocrium delictorum conscientia² perculissent, ut sustinuit! dii immortales! sustinuit?³ immo vero ut contempsit, ac pro nihilo putavit! quæ neque maximo animo nocens, neque innocens, nisi fortissimus vir, negligere potuisset. Scutorum, gladiatorum, [frenorum,]⁴ sparrow, pilorumque etiam multitudo deprehendi posse⁶ judicabatur. Nul- lum in urbe vicum, nullum angiportum esse dicebant, in quo Miloni non esset conducta domus: arma in villam Ocricul- nam⁷ devecta Tiberi: domus⁸ in clivo Capitolino scutis re- ferta: plena omnia malleolorum⁹ ad urbis incendia com- paratorum. Hæc non delata solum, sed pæne credita, nec ante repudiata¹⁰ sunt, quam quæsitæ. Laudabam¹¹ equidem incredibilem diligentiam Cn. Pompeii: sed dicam, ut sen- tio, judices. Nimis multa audire coguntur, neque aliter facere possunt ii, quibus tota¹² commissæ est respublica.

2. *Quæ—conscientia*] Not 'by the consciousness of' but 'under the consciousness of,'—'if he were conscious of.' Hence Ern. would insert *in* before 'conscientia.'

3. *Sustinuit*] This repetition is frequent. Att. v. 4. Sext. 24.

4. *Frenorum*] Bracketed by Orel. it not being clear why bridles should be enumerated among weapons of war. 'Sparorum,' spears of the small- est description, originally a rustic weapon. Hence Virg. xi. 682. 'agres- tisq; manus armat sparum.'

5. *Vicum*] (Ab οἰκος) several houses joined together. It differs from 'pagus,' which is restricted to the country; in the city it means a street, in the country a hamlet. Houses near the city are called 'suburbia;' those surrounded by walls are called 'castella.' Forcell.

6. *Angiportum*] Qu. 'angustus por- tus,' a blind alley, a place; for 'por- tus,' says Festus, signifies any enclosed space where wares are conveyed. Te- rent. Adelph. iv. 2. 39. Id angipor- tum non est pervium. Rather from 'angusta porta,' alluding to the gate or entrance into them being narrow.

7. *Ocriculnam*] Ocriculum was a town of Umbria on the Tiber below

the junction of the Nar.

8. *Domus*] Ern. rightly reads *do- mum—refertam*, as the clause depends upon 'dicebant.' But it is vain to expunge every irregular construction.

9. *Malleolorum*] Malleolus is 1. a small mallet. 2. a vine-shoot of that form, called a mallet-shoot. 3. a species of fire-brand, described by Ammianus as a cane-arrow, which, stuffed with combustible matter and fire, is discharged by a weak bow against houses, &c. We may sup- pose a slight resemblance in its form to the mallet, to warrant the name. Other species are described by Non- nius and others.

10. *Nec ante repudiata, &c.*] Sc. a *Pompeio*. Though totally unworthy of notice, such was the misery of the times, they were not rejected without inquiry. Supr. 23. 'nonnulla cfe- denti.'

11. *Laudabam*] The only excusa- ble part of the transaction, the dili- gence, he artfully attributes to Pom- pey; the rest is laid on the nature of the office; as if it could not be helped.

12. *Tota*] Perhaps to intimate the sole consulship; yet Ern. suspects the word. Inf. tota republica sus- cepta.

Quin etiam audiendus fuerit¹³ popa¹⁴ Licinius, nescio quis¹⁵ de circo maximo,¹⁶ servos Milonis apud se ebrios factos; sibi confessos esse¹⁷ de interficiendo¹⁸ Cn. Pompeio conjurasse; deinde postea se gladio percussus esse ab uno de illis, ne indicaret. Pompeio in hortos¹⁹ nuntiavit; arcesor in primis; de amicorum sententia²⁰ rem defert ad senatum. Non poteram in illius mei patriæque custodis tanta suspitione non metu exanimari: sed mirabar tamen, credi popæ,²¹ confessionem servorum audiri, vulnus in latere, quod acu punctum videretur, pro ictu gladiatoris probari. Verum tamen, ut intelligo, cavebat magis Pompeius, quam timebat, non ea solum, quæ timenda erant, sed omnino omnia, ne aliquid vos timeretis. Oppugnata domus C. Cæsaris,²² clarissimi et fortissimi viri, per multas noctis horas nuntiabatur. Nemo audierat tam celebri loco,²³ nemo senserat. Tamen audiebatur.²³

13. *Audiendus fuerit*] Forced a hearing. Phil. ii. 6. Dies natales audiendi sunt.

14. *Popa*] The priest who slew and dressed the victims, from πέπτω. His cakes were called πόπανα, and the shop where he disposed of his perquisites 'popina.' But as wine is a necessary accompaniment of good viands, we find ('servos Milonis apud se ebrios factos') Licinius's a wine-shop too. The transition is easy to 'popino' a gormandizer. So 'Popa venter' a glutton, Pers. vi. 74.

15. *Nescio quis*] Generally used contemptuously. But vid. Arch. 7. 'nescio quid præclarum.'

16. *Circo maximo*] Ern. omits *maximo*. When 'Circus' it put absolutely, the circus maximus is meant. Hor. Fallax Circus. It was constructed by Tarquinius Priscus between the Palatine and Aventine hills, Liv. i. 35; and was also called Apollinaris, being dedicated to the sun. The Delph. erroneously makes the 'Circus Apollinaris' distinct from the 'Circus Maximus.' The Circus Flaminius and Circus Vaticanus were also celebrated. It is easy to see how such a place would become the resort of professional men

at Rome.

17. *Confessos esse*] For 'In vino veritas.' So Hor. Quid non ebrietas designat? Operta recludit.

18. *De interficiendo*] Ern. 'se de interf.' which seems necessary to prevent ambiguity.

19. *In hortos*] Whither Pompey had retired through fear of Milo. 'Plerumque non domi suæ, sed in hortis manebat, idque ipsum in superioribus, circa quos etiam magna manus militum excubabat.' *Ascon.*

20. *De amic. sent.*] At the suggestion of his friends.

21. *Credi popæ*] Who was a man of no character, 'nescio quis.' It will be observed that verbs governing a dative in the active voice are used impersonally in the passive. 'Popam credi,' is inadmissible.

22. *C. Cæsaris*] Why the house of Cæsar should be even reported to be attacked by Milo and his friends is not clear. Cæsar was now in Gaul.

23. *Celebri loco*] Manil. 12. n. 11. Arch. 3. Cæsar's house was situated on the Via sacra, one of the greatest thoroughfares of Rome. Even the poets made this street their promenade. Hor. Ibam forte via Sacra. Suet. in Jul. 46.

23. *Audiebatur*] It was listened to.

Non poteram Cn. Pompeium, præstantissima virtute virum, timidum suspicari: diligentiam, tota republica suscepta, nimiam nullam putabam. Frequentissimo senatu nuper in Capitolio, senator²⁴ inventus est, qui Milonem cum telo²⁵ esse diceret. Nudavit se in sanctissimo²⁶ templo, quoniam vita²⁷ talis et civis et viri fidem non faciebat, ut, eo tacente, res ipsa loqueretur.

XXV. Omnia falsa atque insidiosæ ficta comperta sunt. Quod si tamen metuitur etiam nunc¹ Milo, non hoc jam Clodianum crimen² timemus, sed tuas, Cn. Pompei, (te enim jam appello, et ea voce,³ ut me audire possis,) tuas, tuas, inquam, suspiciones⁴ perhorrescimus. Si Milonem times,⁵ si hunc de tua vita nefarie aut nunc cogitare, aut molitum aliquando aliquid putas; si Italiæ delectus, ut nonnulli con-

24. *Senator*] Ascon. says P. Cornificius.

25. *Cum telo*] This phrase is borrowed from the old Latin of the twelve tables. Sall. 27. 'ipse cum telo esse'.

26. *Sanctissimo*] The Capitol, a consecrated place.

27. *Ut*] The reading of Græv. which Ern. approves, but would insert before quoniam.' Al. *nisi*.

SECT. XXV.—1. *Etiâ nunc*] i. e. If, after all the statements (in the preceding sect.) to show that the charges against Milo were mere calumnies, and the suspicions of Pompey unfounded, these suspicions are still harboured; it is these and not the present indictment that Milo has to fear. Cic. then applies himself, c. 25 and 26, to clear these suspicions; which closes the 'de causa' proofs.

2. *Clodianum crimen*] Homicidium Clodii a Milone perpetratum. *Forcel*. Rather 'the arraignment touching Clodius's death.' 'Crimen,' qu. cernimen,' from 'cerno,' i. e. κρίνω.

3. *Ea voce*] Pompey was within hearing of the trial, being posted with his guards near the 'ærarium.' Cic., therefore, exalts his voice to an unusual pitch, in order to attract his attention.

4. *Suspiciones*] It appears from Ascon. that Pompey being interrogated

by the Clodian leaders as to whether his life had been attempted by Milo, told the story of 'Popa Licinius;' and that in addition to the precaution of confining himself to his gardens, supr. 7. n. 14, on his return from raising the levies through Italy, he had refused to admit the visit of Milo, and of none else, and that when the senate was held in the portico of Pompey, to allow of his taking part in the business, Milo was the only man ordered to be searched before he was allowed to enter.

5. *Si Milonem times*] The construction of this long hypothetic is defective, as the consequent 'magna in hoc.....indicantur' does not answer well to the first two clauses of the antecedent—'Si Milonem—putas.' For where is the force of saying, e. g. 'if you think that Milo ever entertained wicked designs against your life, Milo is possessed of incredible courage, &c. &c.?' Does it require super-human strength to be a villain? Whereas, all this is the proper answer to, 'si Italiæ delectus, si hæc arma, &c.' Hence some editions refer those clauses to the preceding sentence, and commence this one with 'Si Italiæ delectus, &c.' As it stands we must suppose two conditions: 1. 'If you fear Milo, and think that he has now, or

quisitores⁶ tui dictitarunt, si hæc arma, si Capitolinæ cohortes, si excubiæ, si vigiliæ,⁷ si delecta juvenus, quæ tuum corpus domumque custodit, contra Milonis impetum armata est, atque illa omnia in hunc unum instituta, parata, intenta sunt; magna in hoc certe vis, et incredibilis animus, et non unius viri⁸ vires atque opes indicantur, siquidem in hunc unum⁹ et præstantissimus dux electus, et tota respublica armata est. Sed quis non¹⁰ intelligit, omnes tibi reipublicæ partes ægras et labantes, ut eas his armis sanares¹¹ et confirmares, esse commissas? Quod si Miloni locus¹² datus esset, probasset profecto tibi ipsi, neminem unquam hominem homini cariorum fuisse, quam te sibi; nullum se unquam periculum, pro tua dignitate fugisse; cum illa ipsa teterrima peste¹³ sæpissime pro tua gloria contendisse; tribunatum suum ad salutem meam, quæ tibi carissima fuisset, consiliis tuis¹⁴ gubernatum; se a te postea defensum in periculo capitis,¹⁵ adjutum¹⁶ in petitione præturæ; duos se habere semper amicis-

ever had, designs against your life ;' 2. 'If the whole forces of the state are directed against an individual.'— This latter condition he answers first; namely, by showing that it is absurd, as it would imply courage and resources in Milo far above those of any single man; and, with regard to the extraordinary levies, by proving that they are called for by the necessities of the state without any reference to Milo. He then applies himself to the first condition, the answer to which is implied in the words 'Quodsi locus, &c., &c.,' as if he said:— 'If you fear Milo, it is wholly owing to misapprehension; for if an opportunity had been afforded him, he would have proved to your satisfaction that no man was ever dearer to another than you to him, &c. And if he had failed in his proof (quæsi non probaret) he would have gone into exile; not, however, without calling on you to testify his innocence, as he now does.'

6. *Conquisitores*] We call them 'recruiting officers.'

7. *Excubiæ*] From *ex-cubo*, is, 1. a lying abroad all night; 2. watch

and ward, watches either by night or day. 'Vigiliæ,' a night-watch.— Virg. *Æn.* ix. 159, joins them 'Vigilum excubiis obsidere portas.'

8. *Non unius viri*] A Litotes; 'not of one man but a multitude.' So Hor. *Carm.* iv. 9. 39. 'Consul non unius anni;' not yearly, but for life.

9. *Siquidem*] This is to be referred particularly to 'non unius viri vires, &c.' of which it is explanatory.

10. *Sed quis non, &c.*] This is the minor of the hypothetic, (supr. n. 5.) which taken out of the interrogative form, is 'but all the forces of the state are not designed against Milo;' and he leaves the hearer to conclude: 'Therefore Milo has no extraordinary power.'

11. *Sanares*] Referred to 'ægras,' as 'confirmares' to 'labantes.'

12. *Quod si—locus*] Had Milo been granted an audience.

13. *Peste*] Clodius. Supr. 10. n. 10. where Milo's exertions in favour of Pompey are noticed.

14. *Consiliis tuis*] And, therefore, though the advantage was mine, yet the obligation was also yours.

15. *In periculo capitis*] 'Caput' is

simos sperasse, te tuo¹⁷ beneficio, me suo. Quæ si non probaret; si tibi ita penitus inhæsisset¹⁸ ista suspicio, nullo ut evelli modo posset; si denique Italia a delectu, urbs ab armis, sine Milonis clade nunquam esset conquietura: næ iste haud dubitans cessisset patria, is, qui ita natus¹⁹ est, et ita consuevit; te, Magne,²⁰ tamen antestaretur:²¹ quod nunc etiam facit.

XXVI. Vide, quam¹ sit varia vitæ commutabilisque ratio,² quam vaga volubilisque³ fortuna, quantæ infidelitates in amicis, quam ad tempus aptæ simulationes,⁴ quantæ in periculis fugæ proximorum,⁵ quantæ timiditates! Erit, erit illud profecto tempus, et illucescet aliquando ille dies,⁶ quum tu, salutaribus,⁷ ut spero, rebus tuis, sed fortasse motu aliquo communium⁸ temporum immutatis,⁹ (qui quam crebro¹⁰ ac-

here not life but 'rank.' Exile would have been the punishment had Milo been condemned; and exile was 'diminutio capitis.'

16. *Adjutum*] Namely, in canvassing the electors of the city and the country.

17. *Te tuo*] This is a true, though not an obvious ground of friendship. We all take a lively interest in our own work; e. g. the success of one whom we patronise.

18. *Inhæsisset*] Like a deep-rooted tree. Hence, 'evelli.'

19. *Ita natus*] Namely, so as to act the patriot.

20. *Magne*] Vid. Manil. introd. 12. note.

21. *Antestaretur*] A technical word for, 'to call on a person to be witness to an arrest;' which was done by the claimant of the testimony touching the ear. Hor.—Licet antestari? Ego vero Oppono auriculam.—Here simply 'to attest;' 'to call upon as a witness.' Milo would not leave his country without calling on Pompey to witness his innocence; as he does now.

SECT. XXVI.—1. *Vide quam*] The mention of banishment led Cic. to revolve 'the various turns of fate below;' and this constrained him to break out into the following excla-

mation. The circumstance, therefore under which it was uttered is a sufficient answer to those who claim for this passage the praise of prophecy. That of beauty and pathos it cannot be denied.

2. *Ratio*] The course. Arch. 1. n. 9. 'Rationem studiorum.'

3. *Volubilis*] So Pis. 10. *Fortunæ rotam pertimescebat.*

4. *Ad temp. aptæ simul.*] Time-serving pretences. But 'dissimulation,' is, the disguising of one's real sentiments.

5. *Fugæ proximorum*] Hor. Carm. i. 35. 24.—diffugiunt—amici Ferre jugum pariter dolosi.

6. *Ille dies*] It occurred in about four years after.

7. *Salutaribus*] i. e. salvis.

8. *Communium*] As if any change which affected Pompey must affect all. 'Motu—temporum,' shock of the public affairs. Hor. *Communia laudis*, you praise *the public*.

9. *Immutatis*] Changed greatly, and generally, for the worse. Sall. Cat. 2. 'Fortuna simul cum moribus immutatur.' Also c. 6. 'immutato more,' in which places the context shows that the word is taken 'in malam partem.'

10. *Quam crebro*] Sylla, Cinna, Catiline, were within the experience of Cic.

cidat, experti debemus scire,) et amicissimi benevolentiam, et gravissimi hominis fidem, et unius post¹¹ homines natos fortissimi viri magnitudinem animi desideres.¹² Quamquam¹³ quis hoc credat, Cn. Pompeium, juris publici, moris majorum, rei denique publicæ peritissimum, quum senatus ei commiserit, ut videret, NE QUID¹⁴ RESPUBLICA DETRIMENTI CAPERET; quo uno versiculo¹⁵ satis armati semper consules fuerunt, etiam nullis armis datis:¹⁶ hunc exercitu, hunc delectu dato, judicium expectaturum fuisse in ejus consiliis vindicandis, qui vi judicia ipsa tolleret?¹⁷ Satis judicatum est a Pompeio, satis,¹⁸ falso ista¹⁹ conferri in Milonem: qui legem²⁰ tulit, qua, ut ego sentio, Milonem absolvi a vobis oporteret:²¹ ut omnes confitentur, liceret. Quod vero²² in illo loco, atque illis publicorum præsidiorum copiis circumfusus sedet: satis declarat, se non terrorem inferre vobis, (quid enim illo minus dignum,²³ quam cogere, ut vos eum condemne-

11. *Unius post, &c.*] i. e. From the foundation of the world.

12. *Desideres*] As 'requiretis,' Manil. 2. n. 23;—feel the want of.

13. *Quamquam*] A correction, (supr. 2. n. 18,) as if he said, 'and yet why suppose that Pompey harbours suspicions against Milo which his own acts disprove? Had Milo been disposed (in Pompey's opinion) to abolish trials altogether, would Pompey, clothed with supreme authority, have conceded a trial to Milo? Yet he did; while in the very choice of his position (Quod in illo loco sedet), he fully indicates his anxiety to protect you in the impartial expression of your opinions on this occasion.'

14. *Ne quid, &c.*] Sall. Cat. 29, says that this decree gave the consuls supreme authority and jurisdiction, extending to levying armies, waging war, &c., which otherwise depended on the will of the people.

15. *Versiculo*] i. e. Linea. For 'versus' properly imports the range of words from the beginning to the turning of the line. It was afterwards appropriated to poetry.

16. *Nullis armis datis*] For, though

this decree did not levy an army, it gave the consul the power to do so, if requisite; and, therefore, it does not contradict the words of Sallust, supr. 14, 'exercitum parare, bellum gerere.'

17. *Qui vi judicia tolleret*] Sc. by taking the law into his own hands, murdering Clodius, and plotting against Pompey. Al. *vel*.

18. *Satis*] Elegans ἐπάνοδος.—Grut. Al. omit it.

19. *Ista*] The calumnies which were said to have excited the suspicions of Pompey.

20. *Qui Legem*] Supr. 6. n. 7.

21. *Oporteret*] Owing to the justice of his cause; 'liceret,' owing to the liberty of acquittal bestowed by Pompey's law.

22. *Quod vero*] 'But in that, &c.;' i. e. by his taking post in that particular place; sc. the entrance to the treasury, as Ascon. says.

23. *Minus dignum*] The indignity consisted in Pompey's obliging the judges to condemn an innocent person; which he must have done merely to insult them, as he had in himself the full power of punishing them without going through any legal form.

tis, in quem animadvertere ipse,²⁴ et more majorum²⁵ et suo jure,²⁶ posset?) sed præsidio esse: ut intelligatis, contra hesternam concionem²⁷ illam licere vobis, quod sentiatis, libere judicare.

XXVII. Nec vero me, judices, Clodianum crimen¹ movet: nec tam sum demens,² tamque vestri sensus ignarus atque expers, ut nesciam quid de morte Clodii sentiatis. De qua si jam nollem ita diluere crimen, ut dilui,³ tamen impune Miloni palam clamare atque mentiri⁴ gloriose⁵ liceret: "Occidi, occidi,⁶ non Sp. Mælium,⁷ qui annona⁸ levanda, jacturisque⁹ rei familiaris, quia nimis amplecti plebem putabatur, in suspicionem incidit regni appetendi; non Ti. Gracchum,¹⁰ qui collegæ¹¹ magistratum per seditionem¹² ab-

24. *Animadvertere ipse*] Cat. i. c. 1. n. on 'jussu Consulis.'

25. *More majorum*] Sall. Cat. 29, says, 'more Romano.'

26. *Suo jure*] For the act permitted the consul 'coercere omnibus modis—cives.' Sall. Cat. 29.

27. *Hesternam concionem*] Supr. 2. 'Qui hesternam etiam concione concitati sunt, ut vobis voce præirent, quid judicaretis.' T. Munatius Plancus was the speaker.

SECT. XXVII. 1. *Clod. crimen*] He had contrasted this charge (c. 25,) with the suspicions of Pompey, and cleared away those suspicions. He now addresses himself to prove, that the death of Clodius, being a service to the state, its perpetrator (Milo) had therein performed a glorious act. This is the second principal division of the confutation, called by himself, (inf. c. 34.) *extra causam*, the use and defect of which is noticed by Quint. (iii. 6. and iv. 5.) Vid. supr. 2. n. 20, where it appears from Ascon. (which Quint. corroborates,) that Cic. imitated a defence of Milo, written and published by Brutus.

2. *Demens*] He pretends that it were fatuity to doubt of the strong feeling of the judges as to the advantages accruing from the death of Clodius. 'Vestri sensus'—your way

of thinking. Att. xv. 7, 'sensus ejus de republica.'

3. *Ut dilui*] (*Διαλύομαι*) Sc. by showing that he had waylaid Milo and was, therefore, justly slain. Cic. artfully assumes his case as proved; 'causa dicta est.' Arch. 4.

4. *Mentiri*] In saying 'occidi,' i. e. *per vim et insidias*, which he has just disproved. The Delph., however, refers it to the fact of the murder being committed, not by Milo, but his slaves.

5. *Gloriosè*] Not 'nobly,' as 'splendide mendax,' in Hor. Od. iii. 11. 35; for there was no credit in telling the lie, but (*gloriabundus*) 'glorying in it,' 'boastfully,' 'proudly.' So ad Div. viii. 15. Quid, jam, inquis, gloriose omnia?

6. *Occidi, occidi*] Primum indicat; alterum affirmat. Quint. ix. 3.—*Manut.*

7. *Non Sp. Mælium*] For that were an ignoble act, in comparison with slaying Clodius. Supr. 3. n. 17.

8. *Annona*] Manil. 15. n. 11.

9. *Jacturis*] Manil. 23. n. 5.

10. *Ti. Gracchum*] Supr. 13. n. 16.

11. *Collegæ*] A tribune of the people, called Octavius.

12. *Seditionem*] Qu. *seorsum—itio*, *d* being inserted, as in 'reditus;'

rogavit; quorum interfectores¹³ impleverunt orbem terrarum nominis sui gloria: sed eum (auderet enim dicere, quum patriam periculo suo liberasset) cujus nefandum adulterium¹⁴ in pulvinaribus¹⁵ sanctissimis nobilissimæ¹⁶ foeminae comprehenderunt; eum, cujus supplicio senatus sollemnes religiones expiandas¹⁷ sæpe censuit; eum, quem quum sorore germana¹⁸, nefarium stuprum fecisse L. Lucullus¹⁹ juratus se, quæstionibus²⁰ habitis, dixit comperisse; eum, qui civem,²¹ quem senatus, quem populus Romanus, quem omnes gentes urbis ac vitæ civium conservatorem judicarant, servorum armis exterminavit; eum, qui regna dedit,²² ademit,²³ orbem terrarum,²⁴ quibuscum voluit, partitus est; eum, qui plurimis cædibus in foro factis, singulari virtute et gloria civem²⁵

a withdrawing from the body of the people.

13. *Interfectores*.] Servilius Ahala and Scipio Nasica.

14. *Adulterium*] Sc. with Pompeia, the wife of Julius Cæsar. Supr. 5. n. 11.

15. *Pulvinaribus*] Couches in temples, whereon the images of the gods were placed on solemn occasions. Here those of the Bona Dea. Harusp. 5. 'Cum stuprum Bonæ Deæ pulvinaribus intulisset.'

16. *Nobilissimæ*] Vestal virgins and noble matrons who had assembled at Cæsar's house, to perform the rites of the goddess. Cæsar was Pontifex Max. Harusp. 3. 'Ex domo Pont. Max.'

17. *Expiandas*] Required expiation. Three instances are noticed in the Harusp. 12. 13.: 1. the rites of the Bona Dea; 2. the great games, which, as ædile, he conducted, and at which he allowed his slaves to assist and be spectators; 3. his delivering for a bribe the town of Pessinus, in Phrygia, and the magnificent temple of Cybele there, to Brigotarus 'Gallo Græco, impuro homini ac nefario.' Sext. 26.

18. *Sorore germana*] A full sister; for cousins were also called 'sorores.'

Phil. ii. 38. Clodia, the youngest of three sisters, was married to L. Lucullus.

19. *Lucullus*] Vid. Introd. Manil.

20. *Quæstionibus*] The slaves of Clodia were put to the torture.

21. *Civem*] Cic. himself.

22. *Regna dedit*] E. g. to Brigotarus. 'Pecunia Brigotarus, per te (rex) appellatus.' Harusp. 13. Sext. 26.

23. *Ademit*] E. g. from Ptolemy, king of Cyprus. Clodius enacted that Cyprus should be made a province of the empire; that its king and kingly treasures be sold and confiscated; and that Cato be commissioned with prætorian authority to carry the proceeds to Rome. Sext. 26. 29.

24. *Orbem terrarum*] By the Clodian law, Macedonia was given to Piso, and Syria to Gabinius, in return for their support in procuring the banishment of Cic.

25. *Civem*] Pompey. This assault arose out of the affair of Tigranes. Supr. 7. n. 10. By 'foro,' Ascon. says, is meant the temple of Castor, where Clodius had stationed the slave who was to assassinate Pompey.

domum vi et armis compulit; eum, cui nihil unquam nefas²⁶ fuit nec in facinore, nec in libidine; eum qui ædem Nympharum²⁷ incendit, ut memoriam publicam recensiois, tabulis publicis impressam, extingueret; eum denique, cui jam nulla lex erat,²⁸ nullum civile jus, nulli possessionum termini; qui non calumnia litium,²⁹ non injustis vindiciis³⁰ ac sacramentis³¹ alienos fundos, sed castris, exercitu, signis inferendis petebat; qui non solum Etruscos,³² (eos enim penitus contempserat,) sed hunc Q. Varium,³³ virum fortissimum atque optimum civem, judicem nostrum, pellere possessionibus, armis castrisque conatus est; qui cum architectis³⁴ et decempedis villas multorum hortosque peragrabat; qui Janiculo et Alpibus³⁵ spem possessionum terminabat suarum; qui, quum ab equite Romano splendido et forti,³⁶ M. Paconio, non impetrasset, ut insulam in lacu Prelio³⁷ venderet, repente lintribus in eam insulam materiam,³⁸ calcem, cæmenta, arma

26. *Nihil—nefas*] i. e. Which he would not do; impossible. Od. i. 24. 20. Hor. — *Levius fit patientia. Quicquid corrigere est nefas.* Harusp. 27.

27. *Ædem Nympharum*] Sc. of the fountains, who were worshipped there that they might be propitious against fires. Harusp. 27. 'Earum templum inflammavit Dearum quarum ope aliis incendiis subvenitur.' In this temple, as being most secure from fires, were kept the public registers, at least of the censors. There seems, afterwards, to have been a place set apart for this purpose, called 'tabularium.' Virg. Geor. ii. 502. *Insanum forum aut populi tabularia vidit.* It is easy to conceive that the notice of Clodius (recensiois) was not flattering, and hence his revenge.

28. *Cui—erat*] Who regarded, &c.

29. *Calumnia litium*] Unjust law-suits. 'Calumnia,' from 'calvo,' I deceive, imports, 1. a cavil or quirk; 2. a false accusation.

30. *Vindiciis*] A claim of possession; a litigation to establish that claim. Th. 'vindico,' perhaps from

ἐνδικέω.

31. *Sacramentis*] 1. A pledge or gage to be forfeited by the losing party; 2. the suit or cause itself, as here.

32. *Etruscos*] Supr. 9. 'Etruriam vexaverat,' and 19, 'Omnis Etruria rea citaretur.'

33. *Q. Varium*] Al. Cn. Pompeium, erroneously.

34. *Architectis*] To direct the buildings which he might raise. It refers to 'villas;' and 'decempedis' to 'hortos.' So Hor. Od. ii. 15. 14.

— *Nulla decempedis*

Metata privatis opacam

Porticus excipiebat Arcton.

35. *Janiculo—Alpibus*] i. e. The entire of Upper Italy, from Rome to Gaul.

36. *Splendido et forti*] The distinctive epithets of knights.

37. *Prelio*] Al. *Pretio*, now Castiliogne, in Tuscany.

38. *Materiam*] (As ὕλη) Timber for building; 'calcem,' lime-stone, lime; 'cæmenta,' (qu. 'cædimenta,' from 'cædo;') stones from the quarry, and 'arma,' tools.

convexit ; dominoque trans ripam inspectante,³⁹ non dubitavit ædificium exstruere in alieno ;⁴⁰ qui huic T. Furfanio,⁴¹ cui viro ? dii immortales ! (quid enim ego de muliercula⁴¹ Scantia,⁴² quid de adolescente Aponio dicam ? quorum utrique mortem est minitatus, nisi sibi hortorum possessione cessisset ;) sed ausus est Furfanio dicere, si sibi pecuniam, quantum poposcerat, non dedisset, mortuum⁴³ se in domum ejus illaturum, qua invidia⁴⁴ huic esset tali viro conflagrandum ; qui Appium⁴⁵ fratrem, hominem mihi conjunctum fidissima gratia, absentem de possessione fundi dejecit ; qui parietem sic per vestibulum sororis⁴⁶ instituit ducere,⁴⁷ sic agere fundamenta, ut sororem non modo vestibulo privaret, sed omni aditu et limine.

XXVIII. Quamquam¹ hæc quidem jam tolerabilia² vi-

39. *Dominoque—inspectante*] This was an aggravating circumstance. So Virg. *Æn.* i. 118. 'Ipsius *ante oculos*, &c.' 'Trans ripam,' from beyond the margin or bank of the lake ; i. e. on the mainland. Senec. *Benef.* v. 16. Trans Alpes accitus hostis ;—from beyond the Alps.

40. *Exstruere in alieno*] Of this, the punishment was, a forfeiture of the building. 'Illius fit ædificium cujus et solum est.' Dig. *de acquir. rer. dominio*.

41. *Furfanio*] One of the judges ; a friend and correspondent of Cic. *Fam.* vi. 8.

41. *Muliercula*] A little woman ; a poor unprotected creature.

42. *Scantia*] The name of a wood in Campania, abounding in pastures, (*Agr.* i. 1 ; and iii. cap. ult.) and producing revenue to the Roman people. Perhaps this poor woman came from that quarter, and possessed 'a garden,' near the 'Janiculum,' which attracted the covetous eye of Clodius. At least a garden in Scantia would be no very great prize.

43. *Mortuum*] Either to charge him with the murder, or have his property escheated, as being polluted by a corpse.

44. *Qua invidia*] By the odium

consequent on which this honourable man should be overwhelmed.

45. *Appium*] Cic. adds, 'fratrem' 'absentem,' to heighten the atrocity of the thing. To this Appius, Cic. addresses the third book of his *Epist.* ; yet he supported Clodius against Cic., in the affair of his return. *Supr.* 15. n. 5.

46. *Sororis*] Clodius had three sisters ; the eldest of whom, called Quadrantaria, from a trick played upon her by one of her lovers, who paid her favours with farthings, (quadrantes,) was married to Metellus Celer, *Plut. Cic.* 29 ; *Cæsar.* 14. 26 ; Terentia, was the wife of Q. Marcius Rex ; and Clodia, the wife of Lucullus. It is probable that the first is here referred to, as her house lay contiguous to Cic., and Cicero's, again, to Clodius. *Plut. Cic.* 29 ; and *Harusp.* 15. *Mea domus....sacri-legi parietem tangit.*

47. *Parietem—ducere*] Virg. *Pars ducere muros.*

SECT. XXVIII.—1. *Quamquam*] The usual correction, *supr.* 2. n. 18. The preceding sect. contained a review of Clodius's *past* enormities, forming a sort of descending series from the profanation of the rites of the Bona Dea to the building a partition across his sister's court-yard.

debantur, etsi æqualiter in rempublicam,³ in privatos, in longinquos, in propinquos, in alienos, in suos irruerat: sed nescio quomodo jam usu obduruerat, et percalluerat⁴ civitatis incredibilis patientia.⁵ Quæ vero aderant jam et impendebant, quonam modo ea aut depellere potuissetis aut ferre? Imperium⁶ ille si nactus esset: omitto socios,⁷ exteras nationes, reges, tetrarchas;⁸ vota enim faceretis,⁹ ut in eos se potius immitteret, quam in vestras possessiones, vestra tecta, vestras pecunias: pecunias dico? a liberis, a liberis, medius fidius,¹⁰ et a conjugibus vestris nunquam ille effrenatas suas libidines cohibuisset. Fingi hæc putatis, quæ patent? quæ nota sunt omnibus? quæ tenentur?¹¹ servorum exercitus¹² illum in urbe conscripturum fuisse, per quos totam rempublicam resque privatas omnium possideret?¹³ Quamobrem, si cruentum gladium tenens clamaret T. Annius: “ADESTE,¹⁴ quæso, atque audite, cives: P. Clodium interfeci; ejus furores, quos nullis jam legibus, nullis judiciis frenare poteramus, hoc ferro et hac dextra a cervicibus vestris repuli,¹⁵ per me ut unum jus,¹⁶ æquitas, leges, liber-

In this is sketched his *intended* crimes, and the praise due to Milo for cutting short his mad career inferred.

2. *Hæc—tolerabilia*] In comparison of the evils which he was likely to inflict on the state.

3. *In remp., &c.*] These being opposed in pairs, we find ‘propinquos’ must here mean ‘neighbours.’

4. *Percalluerat*] Explained by ‘obduruerat,’ for it also means, ‘had thoroughly known.’ We say ‘*case-hardened*.’

5. *Patientia*] Capability of enduring wrongs.

6. *Imperium*] The prætorship.

7. *Omitto socios, &c.*] For they would have suffered as a matter of course. Supr. 27. n. 17. 25.

8. *Tetrarchas*] Not only the governor of the *fourth part* of a kingdom, but the sole ruler of any country which was at any time so divided. So Hirt. B. Alex. 67. ‘Dejotarus Tetrarchus Gallogræciæ—pene totius;’ to which the other Tetrarchs questioned his right.

9. *Vota faceretis*] A proof of ex-

treme distress; to be glad of safety at the expense of allies and friends.

10. *Medius fidius*] 1. Varro says, *Dius Fidius* is, ‘*Jovis filius*,’ i. e. *Hercules*; 2. *me*, in composition, is governed of *juvet*; [some say it is the Greek *μᾶ*; but that adverb is restricted to negative assertions.] 3. Fest. notices, ‘*per diei fidem*;’ and ‘*per divi fidem*;’ i. e. by the God of Honour, or *Hercules*. The Greek parallel expression, *Δῖος Πίστιος*, gives a colour to the last explanation, which, however, should be ‘*me Deus fidei juvet*.’

11. *Tenentur*] *Intelligentur*.

12. *Exercitus*] C. 9. n. 15.

13. *Possideret*] *Occuparet*.

14. *Adeste*] Perhaps the phrase for summoning the people.

15. *Frenare—repuli, &c.*] There appears to be a confusion of metaphor here. *Ut* following, is illative: ‘So that by means of me, alone, justice, &c.’ Al. *per me unum effectum est* ut.

16. *Jus*] *Scriptum*; ‘*æquitas*,’ quâ mens scriptoris inquiritur, non verba

tas, pudor, pudicitia¹⁷ in civitate manerent:" esset vero timendum, quonam modo id ferret civitas? Nunc enim quis est, qui non probet? qui non laudet? qui non unum post hominum memoriam¹⁸ T. Annium plurimum reipublicæ profuisse, maxima lætitia populum Romanum, cunctam Italiam, nationes omnes affecisse, et dicat, et sentiat? Non queo, vetera illa populi Romani gaudia quanta fuerint iudicare. Multas tamen jam summorum¹⁹ imperatorum clarissimas victorias ætas nostra vidit; quarum nulla neque tam diuturnam attulit lætitiā, nec tantam. Mandate hoc²¹ memoriæ, iudices. Spero multa vos liberosque vestros in re publica bona esse visuros: in his singulis ita semper existimabitis, vivo P. Clodio, nihil eorum vos visuros fuisse. In spem maximam, et, quemadmodum confido, verissimam adducti sumus, hunc ipsum annum, hoc ipso summo viro²¹ consule, compressa hominum licentia, cupiditatibus fractis, legibus et iudiciis constitutis, salutarem civitati fore. Num quis igitur est tam demens, qui hoc, P. Clodio vivo, contingere potuisse arbitretur? Quid? ea, quæ tenetis, privata atque vestra, dominante homine furioso, quod jus perpetuæ possessionis²² habere potuissent?

XXIX. Non timeo,¹ iudices, ne odio inimicitiarum mearum inflammatus, libentius hæc in illum evomere videar, quam verius. Etenim etsi præcipuum² esse debebat, tamen ita communis erat omnium ille hostis, ut in communi odio

nuda ponderantur. *Abram.*

17. *Pudor, pudicitia*] Refer the former to the mind, the latter to the body.

18. *Post hom. memoriam*] Since men began to record actions. We say, 'within the memory of man.'

19. *Summorum*] Marius, Sylla.

20. *Hoc*] He foretels that they will attribute every future blessing to the removal of Clodius, and he bids them note that he *now* said so.

21. *Summo viro*] Pompey, appointed to be sole consul, (Introd 4,) had passed some salutary laws against bribery and corruption, and attempted to reform the state.

22. *Possessionis*] 'Possessio' being merely, *per usum*, and giving no

right of property (mancipium) 'perpetuæ' is added to make it express that idea.

SECT. XXIX.—1. *Non timeo*] Having now detailed *all* the enormities of Milo, Cic. apprehensive that the feelings of the Judges did not accompany him in his exaggerations, resolves to give them a palpable proof of their abhorrence for Clodius. This he does by supposing him recalled to life; the bare thought astounded them. Nay he adds Pompey would not recall him. Therefore Clodius was a tyrant and his murder meritorious.

2. *Etsi præcipuum*] Sc. 'odium meum;' being banished by Clodius, my brother nearly killed, my family

pæne æqualiter versaretur³ odium meum. Non potest dici satis, ne cogitari quidem, quantum in illo sceleris, quantum exitii fuerit. Quin sic⁴ attendite, iudices: nempe hæc est quæstio de interitu P. Clodii. Fingite animis: liberæ enim sunt cogitationes nostræ, et, quæ volunt, sic intuentur, ut ea cernimus,⁵ quæ videmus; fingite igitur cogitatione imaginem hujus conditionis meæ: si possim efficere, ut Milonem absolvatis,⁶ sed ita si P. Clodius revixerit. Quid vultu extimuistis? quonam modo⁷ ille vos vivus afficeret, quos mortuus inani cogitatione percussit? Quid? si ipse Cn. Pompeius,⁸ qui ea virtute, ac fortuna est, ut ea potuerit semper, quæ nemo præter illum: si is, inquam, potuisset, ut quæstionem de morte P. Clodii ferre, sic ipsum ab inferis excitare, utrum putatis potius facturum fuisse? etiamsi propter amicitiam⁹ vellet illum ab inferis revocare, propter rempublicam non fecisset. Ejus igitur mortis sedetis ultores, cujus vitam si putetis per vos restitui posse, nolitis: et de ejus nece lata quæstio est, qui si eadam lege reviviscere posset, lata lex nunquam esset. Hujus ergo interfector si esset, in confitendo ab iisne pœnam timeret, quos liberavisset?¹⁰

persecuted, my property confiscated, my house burned, &c.

3. *Pæne æqual. vers.*] Was almost on an equality with; i. e. did not much exceed it.

4. *Quin sic*] As the 'quantum' of Clodius's guilt admitted neither of expression nor conception, he thought the judges might best approximate to the idea of it, by supposing his recall to life.

5. *Cernimus*] Cerno (*κρίνω*, from *κρίθι*, barley) 1. I sift. 2. view separately, discern. Hence it is stronger than 'video.' Tusc. i. 20. Nos enim ne nunc quidem oculis cernimus ea quæ videmus.

6. *Ut Milonem absolvatis, &c.*] Cic. artfully connects the acquittal of Milo with the reanimation of Clodius; as well to keep the former idea before the minds of the judges; as to reconcile them to it the more, when they should perceive it to be relieved from such a fearful condition.

7. *Quonam modo*] The mere ima-

gination of Clodius *dead* affected you; *a fortiori* would the reality of Clodius living.

8. *Quid si ipse Cn. Pompeius*] Nay Pompey, the best and bravest man alive, would not, if he could, recall Clod. to life. Therefore his death must have been a public benefit.

9. *Amicitiam*] Supr. 8. n. 8.

10. *Ergo—si esset, &c.*] Therefore, were Milo the perpetrator of so glorious a deed, *he would have confessed it*. Hence inf. 'confiteretur, inquam, &c.;' also c. 31, 'Uteretur eadem confessione T. Annius;' and 'Conscientia sua niteretur;' all which expressions depend upon this first supposition. "Frequently the imperf. subj. is used instead of the pluperf. in both clauses of a hypothetical, though the event referred to is completely passed. The English phrase would lead to the pluperf." Zumpt's Lat. G. p. 301.

Græci homines¹¹ deorum honores tribuunt iis viris, qui¹² tyrannos necaverunt. Quæ ego vidi Athenis! quæ aliis in urbibus Græciæ! quas res divinas talibus institutas viris! quos cantus!¹³ quæ carmina! prope ad immortalitatis et religionem et memoriam¹⁴ consecrantur. Vos tanti conservatorem populi, tanti sceleris ultorem, non modo honoribus nullis afficietis, sed etiam ad supplicium rapi patiemini? Confiteretur,¹⁵ confiteretur, inquam, si fecisset, et magno animo, et libenter¹⁶ se fecisse, libertatis omnium causa; quod esset ei certe non confitendum modo, verum etiam prædicandum.

XXX. Etenim, si id¹ non negat, ex quo nihil petit, nisi ut ignoscatur, dubitaret id fateri, ex quo etiam præmia laudis essent petenda? Nisi vero² gratius putat esse vobis sui se capitis, quam vestri³ defensorem fuisse; quum præsertim in ea confessione, si grati esse velletis, honores assequeretur amplissimos. Si factum⁴ vobis non probaretur, (quamquam qui poterat salus sua cuique non probari?) sed tamen si minus fortissimi viri virtus civibus grata cecidisset:⁵ magno animo constantique cederet ex ingrata civitate. Nam quid esset ingratus, quam lætari

11. *Græci homines*] The mention of 'liberavisset' was enough to lead his mind to Greece, the land of liberators. 'Homines' is added to 'Græci' in opposition to 'deorum' which follows.

12. *Viris qui, &c.*] i. e. Tyrannicides. Abram. adduces Aratus, Timoleon, Pelopidas and Brasidas, for 'the other cities of Greece;' Harmodius and Aristogiton, for 'Athens.'

13. *Quos cantus*] These songs were usual at the public sacrifices and private entertainments. The Schol. on Aristophanes quotes one which began thus: Φίλταθ' Ἀρμόδιε ἔπω τέθνηκας. Νήσοις δ' ἐν μακάρων σε φασὶν εἶναι, &c.

14. *Immort.—memoriam*] i. e. To a veneration and fame which shall never die. We say—'The immortal memory.'

15. *Confiteretur, &c.*] Even through this *extra causam* defence Cic. denies

that Milo actually slew Clodius. Hence his supposition here, that had Milo done so, the deed being noble, he would surely have confessed it. But he did not, therefore he was innocent.

16. *Libenter*] Al. *libente*, to agree with 'animo.' It qualifies 'fecisse.'

SECT. XXX.—1. *Etenim si id*] Sc. that he slew Milo in self-defence. An *a fortiori* argument.

2. *Nisi vero*] 'Unless truly, &c.'—which is absurd. Supr. 3. n. 10.

3. *Vestri*] Al. insert *ordinis*; but as the Judges were not taken from any particular 'order' this word is properly omitted by Ern. and 'capitis' understood.

4. *Si factum*] That Milo slew Clodius, *not* in self-defence, but in your defence. He reasons on this supposition all through to 'niteretur,' infra.

5. *Minus—grata cecidisset*] Had proved displeasing.

cæteros, lugere eum solum, propter quem ceteri lætarentur? Quamquam⁶ hoc animo semper omnes fuimus in patriæ proditoribus opprimendis, ut, quoniam nostra futura esset gloria, periculum quoque et invidiam nostram putaremus. Nam quæ mihi ipsi tribuenda laus esset, quum tantum⁷ in consulatu meo pro vobis ac liberis vestris ausus essem, si id, quod conabar, sine maximis dimicationibus meis me esse ausurum arbitrarer? quæ mulier sceleratam ac perniciosum civem occidere non auderet, si periculum non timeret? Proposita invidia, morte, pœna, qui nihilo segnius rempublicam defendit, is vir vere⁸ putandus est. Populi grati est, præmiis afficere bene meritos de republica cives; viri fortis, ne suppliciis quidem moveri, ut fortiter fecisse pœniteat. Quamobrem uteretur eadem confessione T. Annius, qua Ahala,⁹ qua Nasica, qua Opimius, qua Marius, qua nosmetipsi: et, si grata respublica esset, lætaretur; si ingrata, tamen, in gravi fortuna conscientia sua niteretur.¹⁰

Sed¹¹ hujus beneficii gratiam, judices, Fortuna¹² populi Romani, et vestra felicitas, et dii immortales, sibi deberi putant. Nec vero quisquam aliter arbitrari potest, nisi qui¹³ nullam vim¹⁴ esse ducit, numenve divinum; quem neque

6. *Quamquam*] The usual correction. He had supposed (what was hardly possible) that had he slain Milo in its defence his country would not thank him for so doing; he would therefore abandon so ungrateful a country—yes ungrateful to make the author of their joy the only sorrowful, and yet (*quamquam* &c.) this is what we patriots all expect—danger and odium, without which where in fact would be our merit? Wherefore if Annius had slain a tyrant, he would have frankly confessed it; rejoiced if his country approved; if not rejoiced at the consciousness of having done his duty. Sed—But unhappily for his fame, he did not. The fortune of Rome and the Gods claim all the merit. They had long borne with his enormities, to which Milo (c. 32.) was the

only impediment. They therefore inspired him with the idea of attacking Milo in the very place where he had most outraged the laws, (c. 33.) He did so and fell. And this leads to the peroration.

7. *Tantum*] The suppression of Catiline's conspiracy.

8. *Vir vere*] 'Vere' refers to 'vir'; not 'putandus est.'

9. *Qua Ahala—Nasica, &c.*] Supr. n. 17. &c.

10. *Niteretur*] Sustentaret se. *Bersman*.

11. *Sed*] But so far from Milo having any claim, the Fortune, &c.

12. *Fortuna*] Ovid. *Fast.* v. 729. Nec te prætereo populi fortuna potentis Publica, cui templum luce sequente datum est.

13. *Nisi qui*] Except the atheist.

14. *Vim*] Al. *majestatem*.

imperii vestri magnitudo,¹⁵ neque sol ille, nec cœli signorumque¹⁶ motus, nec vicissitudines rerum atque ordines movent, neque, id quod maximum est, majorum nostrorum sapientia; qui sacra, qui cæremonias,¹⁷ qui auspicia et ipsi sanctissime coluerunt, et nobis, suis posteris, prodiderunt.

XXXI. Est, est profecto illa vis: neque in his corporibus atque in hac imbecillitate¹ nostra inest quiddam, quod vigeat et sentiat, et non inest² in hoc tanto naturæ tam præclaro motu. Nisi forte³ idcirco esse non putant, quia non apparet, nec cernitur: proinde quasi⁴ nostram ipsam mentem, qua sapimus, qua providemus, qua hæc ipsa agimus⁵ ac dicimus, videre, aut plane, qualis, aut ubi sit, sentire possimus. Ea vis, ea est igitur ipsa,⁶ quæ sæpe incredibiles huic urbi felicitates⁷ atque opes attulit, illam perniciem⁸ extinxit, ac sustulit; cui primum mentem injecit, ut vi irritare ferroque lacerare fortissimum virum auderet, vincereturque ab eo, quem si vicisset, habiturus esset impunitatem et licentiam sempiternam.⁹ Non est humano¹⁰ consilio, ne mediocri quidem, iudices, deorum immortalium cura, res illa perfecta. Religiones,¹¹ mehercule,¹² ipsæ, quæ illam belluam cadere viderunt, commosse¹³ se

15. *Imperii magnitudo*] This selection of proofs for the existence of a deity, shews how ill-qualified the noblest *uninspired* genius was to form rational ideas on this subject.

16. *Cœli signorumq;*] Hendiad. for 'cælestium signorum.'

17. *Cæremonias*] Supr. 2. n. 17.

SECT. XXXI.—1. *Imbecillitate*] (From *in*, not, and *baculus*, *bacillus*, a staff) 1. weakness attendant on old age. 2. weakness in general.

2. *Neque—et non inest*] Nor is there in these mortal frames an active thinking principle without its being in like manner in the system of nature; i. e. if it be in the former, *a fortiori* it is in the latter.

3. *Nisi forte*] Supr. 3. n. 10.

4. *Proinde quasi*] The order is 'proinde quasi possimus videre nostram, &c. aut plane sentire qualis, &c.'

5. *Hæc ipsa agimus, &c.*] Plead

this very cause. Manil. 1. 5.

6. *Ea est ipsa*] Al. omit *est*. But it is better retained. 'This then is the providence, this the very providence which, &c.'

7. *Felicitates*] Some of these are stated by Plutarch in his book 'de Fortuna Rom.'

8. *Illam perniciem*] Clodius.

9. *Sempiternam*] i. e. All his life. Hor. Servit æternum qui parvo nesciet uti.

10. *Non est humano*] Therefore not by Milo's.

11. *Religiones*] Sc. ædes, aræ, cæremonia, or rather the gods which belong to them, and which alone can be said 'to bestir themselves, &c.'

12. *Mehercule*] i. e. Hercules me *servet*; the same as Medius fidius. Supr. 28. n. 10.

13. *Commovisse*] 'Commovere se' dicuntur aliquid molirentur. Ern.

videntur, et jus in illo suum retinuisse.¹⁴ Vos enim jam, Albani¹⁵ tumuli atque luci, vos, inquam, imploro, atque obtestor, vosque Albanorum obrutæ aræ, sacrorum populi Romani sociæ et æquales,¹⁶ quas ille, præceps amentia, cæsis prostratisque sanctissimis lucis, substructionum insanis¹⁷ molibus oppresserat: vestræ tum, aræ, vestræ religiones viguerunt,¹⁸ vestra vis valuit, quam ille omni scelere polluerat; tuque ex tuo edito monte, Latiaris¹⁹ sancte Jupiter, cujus ille lacus,²⁰ nemora, finesque sæpe omni nefario stupro et scelere macularat, aliquando ad eum puniendum oculos aperuisti: vobis illæ, vobis vestro in conspectu seræ,²¹ sed justæ tamen et debitæ pœnæ solutæ sunt. Nisi forte²² hoc etiam casu factum esse dicemus, ut ante ipsum sacrarium²³ Bonæ Deæ,²⁴ quod est in fundo T. Sextii Galli, in primis honesti et ornati adolescentis, ante ipsam, inquam, Bonam Deam, quum prælium commi-

14. *Retinuisse*] Maintained, asserted. They seemed heretofore to have waived it.

15. *Albani, &c.*] Clodius had a villa in the Alban land; and it would appear that in the building of it he had destroyed some old graves and altars, attached to Mons Albanus, where the Latinæ feriæ were celebrated. Mons Albanus was covered with trees; but we may suppose that every little hillock and grove was the site of an altar for these occasions. The Delph. suggests that the 'tumuli' may have been the sepulchres of the old Albans. Quint. xii. 10. notes the sublimity of this address. Also, vii. 2. he gives it as an instance of ἀποστροφή.

16. *Sociæ et æquales*] For the Latins had by treaty certain sacred rites in common with the Romans, particularly the *Latinæ Feriæ*, first appointed by Tarquin for one day. Liv. i. 55. Under the consuls they were extended to four; Liv. vi. 42; by whom they were always celebrated before they set out to their provinces. On these occasions forty-seven Latin cities assembled at Mons Albanus; an ox was sacrificed, and

each of them received a part.

17. *Insanis*] Quales insani faciunt; vast, huge. 'Substructionum', Supr. 20.

18. *Viguerunt*] Exerted their energy; he had said 'commovisse.'

19. *Latiaris*] Al. *Latialis*, i. e. who presides over Latium. Yet 'Latiale caput' is perhaps the temple of Jupiter on the Alban mount. Lucan, i. 535.

20. *Lacus*] At the foot of Mons Albanus is the lake of that name, an oval sheet of water about six or seven miles in circumference, Liv. v. 19.

21. *Seræ*] Hor. Od. 10. 2. 31.

22. *Nisi forte*] Supr. 3. n. 10. Cic. thought it absurd to deny a providential interference in the fact of his death happening in the very presence of the goddess whose rites he had profaned. Before he had said it was 'Ante fundum Clodii', &c.

23. *Sacrarium*] The dimin. is 'sacellum', a shrine, chapel.

24. *Bonæ Deæ*] Ἀγαθῇ Θεᾷ. Hoc nomine terra ipsa culta est a Romanis, quia omnium nobis ad victum bonorum causa est. *Macrob. Saturn.* i. 12.

sisset, primum illud vulnus acciperet, quo teterrimam²⁵ mortem obiret: ut non absolutus iudicio illo²⁶ nefario videretur,²⁷ sed ad hanc insignem pœnam reservatus.

XXXII. Nec vero non eadem ira deorum hanc ejus satellitibus¹ iniecit amentiam, ut sine imaginibus, sine cantu² atque ludis,³ sine exsequiis, sine lamentis,⁴ sine laudationibus,⁵ sine funere,⁶ oblitus cruore et luto, spoliatus illius supremi diei celebritate,⁷ cui concedere etiam inimici solent, ambureretur⁸ abjectus. Non fuisse credo fas, clarissimorum virorum formas⁹ illi teterrimo parricidæ aliquid decoris afferre, neque ullo in loco potius mortem¹⁰ ejus lacerari, quam in quo vita esset damnata.

Dura mihi, medius fidius,¹¹ jam Fortuna populi Romani et crudelis videbatur,¹² quæ tot annos illum in hanc rem-

25. *Teterrimam*] When speaking of this murder as the act of Milo he employed a euphemism; 'Fecerunt id servi Milonis, &c.' c. 10. n. 30; here a studied exaggeration.

26. *Illo*] Wherein he was tried for the violation of her mysteries. Supr. 5. n. 11.

27. *Ut—videretur*] So that he seemed, &c.; not 'in order that.' Supr. 1. n. 13.

SECT. XXXII.—1. *Ejus satellitibus*] Sext. Clodius and his gang.

2. *Cantu*] Nænia. Gell. xx. 2. calls the performers 'siticines.' Ovid. Fast. vi. 660, 'tibicines.' Pers. iii. 103. speaks of trumpets. Also Virg. xi. 192.

3. *Ludis*] Of gladiators which were sometimes exhibited at the funerals of great men. But players and buffoons formed part of the procession, of whom the 'Archimimus' supported the character which the person when alive had borne. Suet. Vesp. 19.

4. *Lamentis*] 'Sc. of women employed for the occasion called 'præficæ,' and by Virg. 'funeræ.' After singing the funeral dirge in the procession, they raised the 'lament' at the pile. 'Lamentum' qu. lacrymentum.

5. *Laudationibus*] At the funerals

of illustrious Romans, after the body of the deceased had been exposed for seven or eight days at his house, and duly lamented, it was carried to the forum accompanied by a procession of the leading citizens, where an eulogium was pronounced generally by the nearest relative of the deceased; or if he declined the office, by some man of eloquence. The origin of the custom is attributed by Plut. to Valerius Publicola who honoured his colleague's obsequies with a funeral oration.

6. *Funere*] A procession with lighted torches, from 'funes accensi,' which accompanied it. Val. Max. iii. 6. 4.

7. *Celebritate*] i. e. Sollemnitate exsequiarum, a crowded funeral procession.

8. *Ambureretur*] C. 13. Semustulatum.

9. *Formas*] Images. The ancestors of Clodius were most noble.

10. *Mortem*] i. e. Cadaver. Et funus lacerum tellus habet. Æn. ix. 491. So in Greek φόνος, Eurip. Orest. 985. 28. n. 10.

11. *Medius fidius*] Supr. 28. n. 10.

12. *Dura—videbatur*] i. e. I did think the goddess of Roman fortune cruel in bearing so long with Clodius; but I now confess my error; she

publicam insultare videret et pateretur. Polluerat¹³ stupro sanctissimas religiones; senatus gravissima decreta¹⁴ perfregerat; pecunia¹⁵ se palam a iudicibus redemerat; vexarat in tribunatu senatum,¹⁶ omnium ordinum consensu pro salute rei publicæ gesta¹⁷ resciderat; me patria¹⁸ expulerat; bona diripuerat;¹⁹ domum incenderat; liberos,²⁰ conjugem meam vexaverat; Cn. Pompeio²¹ nefarium bellum indixerat; magistratuum, privatorumque cædes effecerat; domum²² mei fratris incenderat; vastarat Etruriam; multos sedibus ac fortunis ejecerat; instabat, urgebat; capere ejus amentiam civitas, Italia, provinciæ, regna non poterant; incidebantur²³ jam domi leges, quæ²⁴ nos nostris servis addicerent;²⁵ nihil erat cujusquam, quod quidem ille adamasset, quod non hoc anno suum fore putaret. Obstabat ejus cogitationibus nemo, præter Milonem. Ipsum illum,²⁶ qui poterat obstare, Cn.

knew better the time and agent for punishing him.

13. *Polluerat*] He now enumerates the enormities of Clodius, most of which are touched on before. Supr. 27. &c. Of course the pollution of the mysteries of the Bona Dea stands first.

14. *Senatus decreta*] Supr. 5. n. 12. They had ineffectually voted 'ejus supplicio sollemnes religiones expiandas.'

15. *Pecunia*] Alluding to the trial for sacrilege. Supr. 5. n. 12.

16. *Vexarat—senatum*] Principally by inducing the consuls to forbid their mourning for Cic.

17. *Gesta*] Cicero's acts against the conspirators.

18. *Me patria*] Introd. 1.

19. *Bona diripuerat*] Dom. 24.

20. *Liberos, &c.*] Dom. 23.

21. *Cn. Pompeio*] Sup. 7. and Sext. 32. This is of course an exaggeration. So is 'magistratuum cædes effecerat.' Sext. 35. The slaves of Clodius attacked the tribunes Sextius, Fabricius, and Cispus, and much bloodshed was caused; but they escaped. No doubt many 'private' persons suffered, as the piles of dead bodies in the forum equalled the slaughter of Cinna. Sext. 36.

22. *Domum*] Att. iv. 3.

23. *Incidebantur*] This being due only to laws actually ratified, was a proof of the insolence of Clodius. His laws were engraved on brass before he entered on the magistracy in which he was to bring them forward!

24. *Quæ &c.*] He here alludes to a law by which freedmen, now a numerous class at Rome, were permitted to vote among the rural instead of the city tribes. Supr. 12. n. 21. These city tribes were four in number, and were first formed by Fabius, the censor, thence called Maximus, who collected into them the mob of the forum, &c. which heretofore was dispersed among all the tribes, and created disturbance wherever they went. Liv. ix. 46. While the freedmen were limited to these four tribes, they could do little mischief; but Clodius wished to extend their sphere of action to the thirty-one rustic tribes.

25. *Addicerent*] Often used in the sense of 'to sell.' Hence, here 'should dispose of us to our slaves,' i. e. make them and us exchange places. Phil. ii. 21. *Vendita atque addicta sententia.*

26. *Ipsum illum*] Pompey. 'Reditu in gratiam,' supr. 8. n. 8.

Pompeium, novo reditu in gratiam quasi devinctum arbitrabatur; Cæsaris potentiam,²⁷ suam potentiam dicebat; bonorum animos etiam in meo casu contempserat: Milo unus urgebat.

XXXIII. Hic dii immortales, ut supra dixi,¹ mentem illi perditō ac furioso dederunt, ut huic faceret² insidias. Aliiter perire pestis illa non potuit: nunquam illum res publica suo jure esset ulta. Senatus, credo,³ prætorem eum circumscripsisset.⁴ Ne quum solebat⁵ quidem id facere in privato eodem hoc, aliquid profecerat. An consules in prætore coercendo fortes fuissent? Primum, Milone occiso, habuisset suos⁶ consules. Deinde quis in eo prætore consul fortis esset, per quem tribunum, virtutem consularem⁷ crudelissime vexatam esse meminisset? Oppressisset omnia, consideret, teneret; lege nova,⁸ quæ est inventa apud eum cum reliquis legibus Clodianis, servos nostros, libertos suos fecisset; prostremo, nisi eum dii immortales in eam mentem impulissent, ut homo effœminatus fortissimum virum conaretur occidere, hodie rempublicam nullam haberetis. An ille prætor, ille vero consul, si modo hæc templa⁹ atque ipsa

27. *Cæsaris potentiam*] Cæsar was now pursuing his victories in Gaul, leaving Pompey to conduct the home department. Crassus the preceding year had lost his life in Parthia.

SECT. XXXIII.—1. *Supra dixi*] Sc. c. 31. 'Cui primum mentem injecit, ut vi irritare ferroque lacessere, &c.'

2. *Huic faceret*] Milo, as before.

3. *Credo*] Ironical; as usual.

4. *Circumscripsisset*] Restrained him in the exercise of his power. Att. vii. 9. 'Si tribunus plebis notatus, aut senatusconsulto circumscriptus sit.' Phil. xiii. 9. 'Parata de circumscribendo adolescente (Octavio) sententia consularis.'

5. *Nequum solebat*] Not even when it used to attempt this in the case of Clodius ranking merely as a private citizen, had it effected any thing. An *a fortiori* argument. The attempt may refer to the trial for incest, supr. 5. n. 12. wherein Clodius baffled the senate.

Att. i. 10. 13. Supr. 32. n. 14. 'Senatus gravissima decreta perfregerat.'

6. *Suos*] Hypsæus and Scipio, his nominees.

7. *Virtutem consularem*] Cicero's of course. Al. *virum*.

8. *Lege nova*] Ern. connects this with the preceding 'teneret.' But there is no doubt that the law is referred to by which Clodius gave the libertines the right of suffrage among the rustic tribes. Supr. 32. n. 24. Cic. here exaggerates, by using the word 'servos' absolutely; but it is obvious, as well from the nature of the thing, as the words, 'qui in libertate morarentur' in the restored passage, c. 13. that freedmen are designed. The claim which Clodius would thereby have on their services may justify the expression, 'suos libertos.'

9. *Hæc templa*] Which surrounded the forum. Supr. 1. n. 9.

moenia stare, eo vivo, tamdiu, et consulatum ejus expectare potuissent, ille denique vivus mali nihil fecisset, qui mortuus, uno ex suis satellitibus¹⁰ Sex. Clodio duce, curiam incenderit? Quo quid miserius, quid acerbius, quid luctuosius vidimus? Templum¹¹ sanctitatis, amplitudinis, mentis,¹² consilii publici,¹³ caput urbis,¹⁴ aram sociorum, portum¹⁵ omnium gentium, sedem ab universo populo Romano concessam uni ordini, inflammari, excindi, funestari?¹⁶ neque id fieri a multitudo¹⁷ imperita, quamquam esset miserum id ipsum, sed ab uno? qui quum tantum ausus sit ustor¹⁸ pro mortuo, quid signifer pro vivo non esset ausus? In curiam potissimum abiecit, ut eam mortuus incenderet, quam vivus everterat. Et sunt, qui de via Appia¹⁹ querantur, taceant de curia? et qui ab eo spirante¹⁹ forum putent potuisse defendi, cujus non restiterit cadaveri curia? Excitate, excitate ipsum, si potestis, ab inferis. Frangetis impetum vivi, cujus vix sustinetis furias insepulti? nisi vero sustinuistis eos qui cum facibus²⁰ ad curiam cucurrerunt, cum falcibus ad Castoris,

10. *Satellitibus*] Properly the body-guard of a king; but used by the Romans, who hated every thing regal, to signify, 'bravos, accomplices, aiders and abettors in crime.'

11. *Templum*] Manil. 24. n. 2.; 'sanctitatis,' i. e. where sanctity, or inviolable honour, holds its seat; and 'amplitudinis,' majesty. Manil. 1. n. 6. Cineas, the deputy of Pyrrhus, described the senate as an assemblage of kings.

12. *Mentis*] Wisdom.

13. *Consilii publici*] Græv. says, 'consilii pub.' est 'ipse senatus; i. e. he takes 'consilium,' to mean 'council.' But as 'Templum ipsius senatus,' (i. e. the Curia) is rather an unmeaning expression, it appears better to explain the words with Abram. 'in quo ad reip. salutem excubatur,' i. e. of deliberation for the public good.

14. *Urbis*] Al. *orbis*. And 'aram,' the asylum.

15. *Portum*] Off. ii. 8. Regum, populorum, nationum, portus erat ac

refugium senatus.

16. *Funestari*] For a place was considered to be polluted by a dead body.

17. *A multitudo*] The mob generally act under the excitement of the moment; but Sext. Clodius acted by premeditation, which was worse.

18. *Ustor*] Al. *ultor*; but neither, according to Ern. is opposed to 'signiferi,' as 'mortuus' is to 'vīvus.'

19. *Via Appia*] On which Clodius was killed. Supr. 7. n. 7. Cic. thought the burning of the senate-house a sufficient set off against the Appian way and ancestral monuments of Clodius.

19. *Ab eo spirante*] From him alive.

20. *Falcibus*] Al. *facibus*. But 'falces' were a species of halbert employed in breaking into houses, &c. We may suppose that the temple of Castor was a depôt of arms which the mob wished to obtain possession of. Pis. 5. Arma in templo Castoris constituebantur.

cum gladiis toto foro volitarunt.²¹ Cædi vidistis populum Romanum, concionem gladiis disturbari,²² quum audiretur silentio M. Cœlius²³ tribunus plebis, vir et in republica fortissimus, et in suscepta causa firmissimus,²⁴ et honorum voluntati et auctoritati senatus deditus, et in hac²⁵ Milonis sive invidia, sive fortuna, singulari, divina et incredibili fide.

XXXIV. Sed jam satis multa de causa:¹ extra causam etiam nimis fortasse multa. Quid restat, nisi ut orem obtesterque vos, iudices, ut eam misericordiam tribuatis fortissimo viro, quam ipse non implorat:² ego etiam, repugnante hoc, ei imploro, et exposco? Nolite, si in nostro omnium fletu nullam lacrymam adspexistis Milonis; si vultum semper eundem, si vocem, si orationem stabilem ac non mutatam videtis, hoc minus ei parcere! Haud scio, an multo etiam sit adjuvandus magis. Etenim si in gladiatoriiis pugnis, et in infimi generis³ hominum conditione⁴ atque fortuna timidos et supplices, et, ut vivere liceat, obsecrantes, etiam odisse⁵ solemus; fortes, et⁶ animosos, et se acriter ip-

21. *Volitarunt*] Ranged through. It expresses a sort of licence and impunity in outrage. In Sen. p. R. 3. 'Cum ferro et facibus homines tota urbe volitantes.'

22. *Disturbari*] Driven here and there, dispersed.

23. *M. Cœlius*] When the fate of Clodius was known at Rome, the tribune Cœlius, a friend of Milo, collected his adherents, and began to explain the outrages that led to Clodius's death. He was interrupted by the other tribunes, Plancus and Q. Pompey, who, with an armed mob, dispersed the meeting, and slew numbers. Cœlius and Milo escaped in the dress of slaves. *Ascon.*

24. *Firmissimus*] He even opposed the arrangements of Cn. Pompey regarding this trial; till Pompey threatened to put down his opposition by force. *Ascon.*

25. *In hac, &c.*] 'Singulari' qualifies both 'invidia' and 'fortuna.'

SECT. XXXIV.—1. *De causa*] Sc. wherein he proved Clodius the aggressor, c. 12. 27. 'Extra cau-

sam,' wherein he proved that Milo's act was praiseworthy, even supposing it intentional, c. 27. 34. Supr. 2. n. 20. The rest is peroration.

2. *Quam ipse non implorat*] For Milo had not submitted to the usual tricks for mollifying the judges; the tears, the suppliant gesture, and mourning garb. This, which had offended Pompey and the judges, Cic. endeavours to palliate. Quint. vi. 1.

3. *Infimi generis*] Slaves, of which rank the gladiators at this time generally were. Vid. supr. 2, where the gladiators of Milo are called by Cic. 'servi.' Subsequently the nobles of Rome did not disdain to become gladiators, and exhibit on the stage. Juv. viii. 200.

4. *Conditione*] Explained by 'fortuna,' rank, situation. Balb. 10. Servos quorum jus et fortunæ conditio infima est.

5. *Odisse*] i. e. To demand their death from the magistrate. This was done by a well-known signal.

— verso pollice vulgi Quem-

sos morti offerentes, servare⁷ cupimus; eorumque nos magis miseret, qui nostram misericordiam non requirunt, quam qui illam efflagitant: quanto hoc magis in fortissimis civibus facere debemus? Me quidem, iudices, exanimant et interimunt hæ voces Milonis, quas audio assidue, et quibus intersum quotidie. "Valeant, valeant, inquit, cives mei, valeant; sint incolumes, sint florentes, sint beati; stet hæc urbs præclara mihiq[ue] patria carissima, quoquo modo erit merita de me;⁸ tranquilla⁹ republica cives mei, (quoniam mihi cum illis non licet,) sine me ipsi, sed per me tamen, perfruantur.—Ego cedam, atque abibo. Si mihi republica bona frui non licuerit, at carebo mala. Et quam primam¹⁰ tetigero bene moratam¹¹ et liberam civitatem, in ea conquiescam. O frustra, inquit, suscepti mei labores! o spes fallaces! o cogitationes inanes meæ! Ego quum tribunus plebis, republica oppressa, me senatui dedissem, quem extinctum acceperam; equitibus Romanis, quorum vires erant debiles: bonis viris, qui omnem auctoritatem Clodianis armis abjecerant: mihi unquam bonorum præsidium defuturum putarem? Ego, quum te (mecum enim sæpissime loquitur) patriæ reddidissem, mihi putarem in patria non futurum locum? Ubi nunc senatus est, quem secuti sumus? ubi equites Romani illi, illi, inquit, tui?¹² ubi studia municipiorum?¹³ ubi Italiæ voces?¹⁴

libet occidunt populariter. Juv. iii. 36.

6. *Fortes et, &c.*] Tusc. ii. 17. Gladiatores—quas plagas perferunt? Quomodo illi qui bene instituti sunt, accipere plagam malunt quam turpiter vivunt? Quis mediocris gladiator ingemuit? quis, &c.

7. *Servare*] Sc. pollices premo. Plin. xxviii. 2. Pollices quum favemus premere etiam proverbio jubemur. Hor. Serm. i. 18. 69. Fautor utroque tuum spectabat pollice ludum. Turneb. ii. 6.

8. *Merita de me*] Treated me. 'Mereri de aliquo' est conferre in quempiam aliquid boni aut mali.—*Forcel.*

9. *Tranquilla*] Clodius, the prime mover of every disturbance, being removed.

10. *Quam primam*] Al. *primum*.

11. *Bene moratam*] (From *mos*) possessed of good institutions and morals; where the turbulence of a Clodius is unknown. The following apostrophe (O frustra, &c.) is noticed by Quint. vi. 1, as an instance of the propriety of putting suitable exclamations in the mouths of the accused, even when prayers are not allowed.

12. *Illi, inquit, tui*] Cicero's equestrian extraction is not so much alluded to here, as the friendship of the knights, which he had gained, as well by his general attention to their interests, as his exertions in effecting the celebrated junction between them and the senate.

13. *Studia municipiorum*] So ardent in the cause of your recall from exile. Supr. 15. Pis. 15.

14. *Voces*] Ferendo de te suffra-

ubi denique tua illa, M. Tulli, quæ plurimis fuit auxilio, vox atque defensio? mihi ne ea soli, qui pro te toties morti me obtuli, nihil potest opitulari?"¹⁵

XXXV. Nec vero hæc,¹ judices, ut ego nunc, flens,² sed hoc eodem loquitur vultu, quo videtis. Negat enim se, negat, ingratis³ civibus fecisse, quæ fecerit: timidis et omnia circumspicientibus pericula, non negat. Plebem⁴ et infimam multitudinem, quæ, P. Clodio duce, fortunis vestris⁵ imminabat, eam, quo tutior esset vita vestra, [suam]⁶ se fecisse commemorat, ut non modo virtute⁷ flecteret, sed etiam tribus⁸ suis patrimoniis deliniret: nec timet ne, quum plebem muneribus placarit, vos non conciliarit meritis in rempublicam singularibus. Senatus erga se benevolentiam temporibus his ipsis sæpe esse perspectam; vestras vero, et vestrorum ordinum⁹ occursationes,¹⁰ studia, sermones, quemcun-

gio. *Abram.* But it rather alludes to the acclamations with which he was accompanied in his route through Italy to Rome. Ad Quir. p. R. 8. 'Tanta consensione Italiæ.' Pis. 15.

15. *Opitulari*] 'Opem—tulo' (i. e. fero). Verbs which contain a noun in their composition usually govern a dative. So 'ausculto, credo, &c.'

SECT. XXXV.—1. *Neque vero hæc*] Wishing to praise the kindness of 'the good' to Milo, Cicero here begins by representing the firmness and resignation which he exhibited as resulting from their feeling towards him.

2. *Flens*] Cic. should have recollected the rebuke of Æsch. to Demos., in Ctes. 71. Οὗτος κλαίει μὲν ῥᾶον, ἢ ἄλλοι γελῶσι.

3. *Ingratis*] Displeased at, disapproving his conduct. So Græv.; and it seems a good sense to say, 'it is not that they dislike my conduct, but that they are afraid (timidis) to speak out.' However, *ingratitude* seems to be implied in these words, inf.: 'qui beneficio cives suos vice-riunt.'

4. *Plebem, &c.*] The construction here is, *anacoluthon*; there being no

word to govern these accusatives.—'Infimam multitudinem,' slaves; as before.

5. *Fortunis vestris*] This was the best excuse for the notorious largesses of Milo which Cic. had to offer. He spent his fortune to save yours from being plundered.

6. *Suam*] His friend; favourable to him. Hor. Ep. 9. 'Ventis non suis.' But Orel. omits it; and then 'ut,' which was before illative—so that, becomes, in order that (supr. l. n. 3.), and the constr., 'fecisse ut flecteret,' i. e. 'flexisse.' So inf. 38. 'utinam fecissent ut.'

7. *Virtute*] Alluding to the firmness and bravery which Milo displayed in curbing the licentiousness of the mob. No doubt, his three patrimonial possessions had due influence.

8. *Tribus*] Sc. those of his father, Papius; of his maternal grandfather, C. Annius, by whom he had been adopted; and of his mother. But it is not clear how the second and third differ. Abram. conjectures that his mother had derived an estate from her mother, independent of her husband, which Milo enjoyed.

9. *Vestrorum ordinum*] He means

que¹¹ cursum fortuna dederit, secum se ablaturum¹² esse dicit. Meminit etiam, sibi vocem præconis¹³ modo defuisse, quam minime desiderarēt; populi vero cunctis suffragiis, quod unum cupierit, se consulem declaratum: nunc denique, si hæc [arma]¹⁴ contra se sint futura, sibi facinoris suspicionem, non facti crimen¹⁵ obstare. Addit hæc, quæ certe vera sunt: **FORTES ET SAPIENTES VIROS** non tam præmia sequi solere recte factorum, quam ipsa recte facta;¹⁶ se nihil in vita, nisi præclarissime fecisse, siquidem nihil sit præstabilius viro, quam periculis patriam liberare; beatos esse, quibus ea res honori fuerit a suis civibus; nec tamen eos miseros, qui beneficio cives suos vicerint: sed tamen, ex omnibus præmiis virtutis, si esset habenda ratio præmiorum, amplissimum esse præmium, gloriam; esse hanc unam, quæ brevitatem vitæ posteritatis memoria consolaretur; quæ efficeret, ut absentes adessemus, mortui viveremus: hanc denique esse, cujus gradibus etiam homines in cælum viderentur ascendere. "De me, inquit, semper populus Romanus, semper omnes gentes loquentur, nulla unquam obmutescet vetustas. Quin hoc tempore ipso, quum omnes a meis inimicis faces meæ¹⁷ invidiæ subjiciantur, tamen omni in hominum coetu, gratiis agendis,¹⁸ et gratulationibus haben-

senators, knights, and 'tribuni ærarii.' Supr. 1. n. 4.

10. *Occursationes*] 'Occursatio' imports a running to meet one out of respect; respectful greetings.

11. *Quemcunque, &c.*] So Virg. *Æn.* iv. 654. Vixi, et quem dederat cursum fortuna, peregi.

12. *Ablaturum*] He means, 'in memory.'

13. *Præconis*] By whom the person was declared duly elected. Yet, sometimes this was done by the presiding magistrate. Muren. 1. 'Illo die quo Comitibus centuriatis L. Murenam consulem renunciavi.' Supr. 13. n. 11.

14. *Arma*] Which Pompey had disposed in the forum. But Orel. omits the word.

15. *Facti crimen*] The actual crime. Juv. xiii. 210.

16. *Recte facta*] Good actions.

Supr. 16. n. 5.

17. *Meæ*] 'Against me;' the object. genit., which is properly expressed by the personal pronoun; as 'vestri curam gero.' Zumpt's L. Gram. c. 70.

18. *Gratiis agendis*] Not 'in gratiis, &c.' as 'in cœtu;' but 'celebramur gratiis agendis, &c.' 'Gratias agere,' is to return thanks in person for favours conferred; 'gratulationes habere,' is to present congratulatory addresses to one on account of distinguished success. So here, the former may have been called forth by the advantages which the Etrurians, e. g., gained through Milo's exertions; the subject of the latter may have been the glory to which such exertions entitled him. 'Sermones,' refers to conversations about him in his absence.

dis, et omni sermone celebramur. Omitto Etruriæ festos¹⁹ et actos, et institutos dies: centesima lux est hæc ab interitu P. Clodii, et, opinor, altera:²⁰ qua fines imperii populi Romani sunt, non solum fama jam de illo, sed etiam lætitia peragravit. Quamobrem ubi corpus hoc sit, non, inquit, laboro,²¹ quoniam omnibus in terris²² et jam versatur, et semper habitabit nominis mei gloria."

XXXVI. Hæc tu¹ mecum sæpe, his absentibus: sed iisdem audientibus, hæc ego tecum, Milo. Te quidem, quum isto animo es, satis laudare non possum: sed, quo est ista magis divina virtus, eo majore a te dolore divellor. Nec vero, si mihi eriperis,² reliqua est illa tamen ad consolandum querela, ut his irasci possim, a quibus tantum vulnus acce-

19. *Etruriæ festos*] 'Actos,' in consequence of the death of their oppressor; 'institutos,' to record the memory of so happy an event. It was usual for a people to institute *feasts* in honour of a benefactor. So the Syracusans instituted the 'Marcellæa,' in honour of M. Claudius Marcellus (Verr. iv. 21. 63.); and the Asiatics, the 'Mucia,' in honour of Q. Mucius. Verr. iv. 21.

20. *Centesima lux—et altera*] The date of the rencounter, as given by Cic. (supr. 10.) was the twentieth of January; and the pleadings, according to Ascon., took place on the 8th of April; the interval is seventy-eight days; and if to this we add, an intercalary month of twenty-three days, inserted between the twenty-third and twenty-fourth of February, the sum is one hundred and one, as in the text. Those who contend that 'alter,' added to numerals, signifies 'duo,' must reckon the twentieth of January, inclusive. There does not, however, appear to be any decided instance where 'alter' must be so taken. Vid. Virg., Ec. viii. 29. Liv. iii. 33. Wherever *one* or *first* is either expressed or obviously implied, 'alter,' no doubt, signifies *two* or *second*; otherwise, it imports only 'another' added to whatever precedes. Vid.

Forcel. If, however, as Scaliger (de emend. temporum ii.) shows, the intercalary month contained, alternately, twenty-two and twenty-three days, and if it were twenty-two this year, we will be obliged to translate 'the hundredth and first,' since the remainder of Jan.—12 days, Febr. 28 days, the intercalary month 22, March 31, and 8 days of April, amount only to 101.

21. *Laboro*] Curo, anxius sum.

22. *Omnibus in terris*] Opposed to 'ubi,' the place of the body.

SECT. XXXVI.—1. *Hæc tu*] Sc. from 'Valeant, &c.' supr. 34. But 'hæc ego, &c.' is 'Te quidem, &c.' following, 'His absentibus' is added to preserve Milo from the imputation of arrogance; who merely poured his high-minded complaints and resolves into the bosom of a friend; and as this demeanour was ill calculated to excite the commiseration of the judges, Cic. is obliged to implore that pity for his own sake which he despairs of obtaining for Milo's.

2. *Nec vero si eriperis*] Cic. complains that he has not even the poor consolation left of feeling angry at those who inflict the wound. Therefore they ought not to inflict it; but pardon Milo.

pero. Non enim inimici mei te mihi eripient, sed amicissimi: non male aliquando de me meriti,³ sed semper optime. Nullum unquam, judices, mihi tantum dolorem inuretis⁴ (etsi, quis⁵ potest esse tantus?) sed ne hunc quidem ipsum, ut obliviscar, quanti me semper feceritis. Quæ si vos cepit oblivio, aut si in me aliquid offendistis,⁶ cur non id meo capite⁷ potius luitur, quam Milonis? Præclare enim vixero, si quid mihi acciderit⁸ prius, quam hoc tantum mali videro. Nunc me una consolatio sustentat, quod tibi, T. Anni, nullum a me⁹ amoris, nullum studii, nullum pietatis officium defuit. Ego inimicitias potentium¹⁰ pro te appetivi; ego meum sæpe corpus et vitam objeci armis inimicorum tuorum; ego me plurimis pro te supplicem abjeci; bona, fortunas meas ac liberorum meorum in communionem tuorum temporum¹¹ contuli; hoc denique ipso die, si qua vis est parata, si qua dimicatio capitis¹² futura, depono. Quid jam restat? quid habeo [quod dicam,] quod faciam pro tuis in me meritis, nisi ut eam fortunam, quæcunque erit tua, ducam meam? Non recuso, non abnuo: vosque obsecro, judices, ut vestra beneficia, quæ in me contulistis, aut in hujus salute augeatis, aut in ejusdem exitio occasura esse videatis.¹³

3. *Male—de me meriti*] Deserved ill at my hands.

4. *Inuretis*] Properly, 'shall brand;' a forcible expression for 'inflict.' Supr. 12. '*Leges—inustus.*' Muren. 4. Cat. ii. 11.

5. *Etsi quis, &c.*] Though what (other) pain can be so acute as this (sc. depriving me of Milo); but, not even this *will you inflict on me to the degree* that I shall forget, &c. Understand, then, *inuretis tantum* before 'ut obliviscar.'

6. *Aliquid offendistis*] i. e. *Quoad aliquid.* 'Offendo' (like *σκανδαλίζω* in the Greek Test.) is here, 'I run foul of, am displeased with.' B. Civ. ii. 32. At, credo, si Cæsarem probatis, in me offenditis.

7. *Id meo capite*] Why is not that offence rather atoned for by my death.

8. *Si quid mihi acciderit*] Manil. 20. n. 1.

9. *A me*] On my part.

10. *Potentium*] The party of Claudius, and perhaps Pompey.

11. *Tuorum temporum*] Manil. 1. n. 17.

12. *Dimicatio capitis*] Al. *diminutio*, which was any loss of liberty or the rights of citizens. The loss of the city and family was, 'diminutio maxima;' loss of the city 'media;' and any change of family, 'minima.' Adam. This is alluded to by Hor., Carm. 5. 42. 'Capitis minor,' one degraded.

13. *Occasura esse videatis*] It often happens, as here, that the verb preceding two clauses suits the first only, and requires to be modified before the second. Thus it is right to say, 'I entreat to enhance your favours by my friend's acquittal;' but not, 'I entreat you to see them about to be cancelled by his condemnation.' The

XXXVII. His lacrymis non movetur Milo. Est quodam incredibili robore animi: exsilium ibi esse putat, ubi virtuti non sit locus; mortem naturæ¹ finem esse, non pœnam. Sit hic ea mente, qua natus est. Quid vos, judices, quo tandem animo eritis? Memoriam Milonis retirebitis, ipsum ejicietis? et erit dignior locus in terris ullus, qui hanc virtutem² excipiat, quam hic, qui procreavit? Vos, vos appello, fortissimi viri,³ qui multum pro republica sanguinem effudistis: vos in viri et in civis invicti⁴ appello periculo, centuriones, vosque milites; vobis non modo inspectantibus, sed etiam armatis, et huic judicio præsidentibus, hæc tanta virtus ex hac urbe expelletur? exterminabitur? projicietur? O me miserum!⁵ o infelicem! revocare tu me in patriam, Milo, potuisti per hos: ego te in patria per eosdem retinere⁶ non potero? Quid respondebo liberis meis, qui te parentem alterum⁷ putant? quid tibi, Q. frater, qui nunc abes,⁸ consorti mecum temporum illorum? me non potuisse Milonis salutem tueri per eosdem, per quos nostram ille servasset? At in qua causa non potuisse? Quæ est grata gentibus.⁹ A quibus non potuisse? Ab iis, qui maxime P. Clodii morte acquirerunt.¹⁰ Quo deprecante? Me. Quodnam ego concepi tantum scelus, aut quod in me tantum facinus admisi,¹¹ judices, quum illa indicia communis exitii indagavi,¹² patefeci, protuli, exstinxi?¹³ Omnes in me me-

modification may be, 'I tell you, I warn you that you shall, &c.'

SECT. XXXVII.—1. *Naturæ*] Appointed by nature. Sall. Cat. 53. Mortem ærumnarum requiem, non cruciatum esse, &c.

2. *Hanc virtutem*] i. e. 'Virum virtute præditum;' as Hor. Od. iii. 24. 31. 'Virtutem incolumem odimus,' &c. 'Virtus Scipiadæ,' Sat. ii. 1.

3. *Fortissimi viri*] The guards were in hearing of Cicero.

4. *Viri et civis invicti*] i. e. 'Viri invicti et civis invicti.'

5. *O me miserum!*] Quint., vi. 1, notices the propriety of the advocate undertaking the task of exciting pity, when it would be unbecoming in the defendant. Nani quis ferret, says he, Milonem pro capite suo supplicantem, qui a se virum nobilem inter-

fectum, quia id fieri oportuisset, fateretur?

6. *Retinere*] Which should be easier than 'revocare.'

7. *Parentem alterum*] As being the restorer of their first. 'Liberis,' of course, Marcus and Tullia.

8. *Qui nunc abes*] Namely, as Cæsar's lieutenant in Gaul.

9. *Grata gentibus*] Supr. 35.—Quà fines imperii populi Rom. sunt, non solum fama de illo, sed etiam lætitia peragravit.

10. *Acquierunt*] Were delighted with.

11. *In me—admisi*] 'Have I committed,' Supr. 23. n. i. 19. Hor. Tu nihil admittes in te formidine pœnæ.

12. *Indagavi*] Vid. Cat. iii., for a full statement of his detection of the conspiracy.

13. *Exstinxi*] Cicero, carried away

osque redundant ex fonte illo¹⁴ dolores. Quid me reducem esse voluistis? an ut, inspectante me, expellerentur ii, per quos essem restitutus? Nolite, obsecro vos, pati, mihi acerbiorum redditum esse, quam fuerit ille ipse discessus. Nam qui possem putare me restitutum esse, si distrahor ab iis, per quos restitutus sum?

XXXVIII. Utinam¹ dii immortales fecissent: (pace tua, patria, dixerim; metuo enim, ne scelerate dicam in te, quod pro Milone dicam pie:) utinam P. Clodius non modo viveret, sed etiam prætor,² consul, dictator esset potius, quam hoc spectaculum viderem! O, dii immortales! fortem et a vobis, iudices, conservandum virum! "Minime,³ minime, inquit. Immo vero pœnas ille debitas luerit: nos subeamus, si ita necesse est, non debitas." Hicne vir patriæ natus,⁴ usquam nisi in patria,⁵ morietur? aut, si forte, pro patria? hujus vos animi monumenta⁶ retinebitis, corporis in Italia⁷ nullum sepulcrum esse patiemini? hunc sua quisquam sen-

by his eloquence, added this word, which does not apply to 'indicia communis exitii,' but to 'commune exitium,' understood from that expression.

14. *Redund. ex fonte illo*] 'Flow from the conspiracy of Catiline,' thus: I suppressed that conspiracy, and thereby excited the hatred of Clodius. This produced my banishment; which, again, engaged Milo in my recall. Hence the odium was transferred to him, and he is now to be banished, which causes my grief. *Ergo* 'Redundant, &c.' *Introd.* 1.

SECT. XXXVIII.—1. *Utinam*] "A difference is to be marked between the pres. and perf.; and imperf. and pluperf. of the subj. with 'utinam.' With the former pair an action is conceived in the mind, which may or may not actually exist; with the latter pair it excludes the idea of actual existence." Zumpt's *Lat.* G. 75. So 'utinam dii faciant, &c.' is, 'would that the gods may,' as they can; 'utinam fecissent'—'would that they had; &c.,' but they *did* not.

2. *Prætor*] He begins with the

first office which Clod. did *not* hold.

3. *Minime, &c.*] We may suppose that Milo motioned a negative on Cicero's wish. 'Utinam . . . dictator esset.' Let him, 'he adds,' meet his deserts, and I care not for personal consequences.'

4. *Patriæ natus*] *Off.* i. 7. Non nobis solum nati sumus, ortusq; nostri partem patriæ vindicat. But 'patriæ natus' intimates that he was framed by nature for the especial purpose of saving his country. So 'natus abdomini suo' is applied to Gabinius, *Pis.* 17; 'naturally a gormandizer.'

5. *Nisi in patria*] *Æn.* x. 781. Et dulces moriens reminiscitur Argos. Hence the poet Waller's wish 'to die, like the stag, where he was roused.'

6. *Animi monumenta*] Sc. his public services recorded in the history of his country; opposed to 'corporis sepulcrum.'

7. *In Italia*] The importance attached to a burial in one's native land, may be seen exemplified in the prayer of Hector to Achilles, *Iliad*, xxii. 254; of Mezentius, *Æn.* x. 904;

tentia ex hac urbe expellet, quem omnes urbes expulsum a vobis ad se vocabunt? O terram illam beatam, quæ hunc virum exceperit: hanc ingratham, si ejecerit: miseram, si amiserit! Sed finis⁸ sit: neque enim præ lacrymis jam loqui possum; et hic se lacrymis defendi vetat. Vos oro⁹ obtestorque, judices, ut in sententiis ferendis, quod sentietis, id audeatis. Vestram virtutem, justitiam, fidem (mihi credite) is maxime¹⁰ probabit, qui in iudiciis legendis, optimum, et sapientissimum, et fortissimum quemque delegit.

of Turnus, *Æn.* vii. 935, and of Poly-
lynices. Eurip. *Phœniss.* 1460.

8. *Sed finis*] For my tears prevent my words; as well as the wish of Milo to depend solely on the goodness of his cause.

9. *Vos oro, &c.*] Having wound up the feelings of the judges to the highest pitch, he now affects to call upon them to attend only to the dictates of justice, &c.

10. *Is maxime*] Pompey, who being the prime mover of the whole proceeding is here presented, in conclusion, to the minds of the judges, as the friend of justice and of Milo.

The plan, then, of this admirable speech is extremely simple. It contains thirty-eight sections. Of these, the exordium occupies, c. 1. 2; then follows the refutation of the *præjudicia*, c. 2—8; the narration, c. 9—11; the *direct* confirmation, consisting of ten arguments, (noticed in order in the notes,) c. 12—26; the *indirect* confirmation or merit of slaying such a tyrant as Clodius, c. 27—33; and lastly, the peroration, 34—38. The arrangement of the *direct* proofs is different in different commentaries; that of Melancthon has been nearly followed.

INTRODUCTION TO THE ORATION

FOR

Q. LIGARIUS.

1. IN the year of the city 703, Q. Ligarius accompanied C. Considius Longus, who had been appointed pro-prætor of Africa, into his province, as lieutenant, and on that governor retiring from his office, was by him nominated to the command. In the following year the civil war broke out between Cæsar and Pompey; and Ligarius, preferring friends and home to the glitter of a dangerous command, withstood the offers and entreaties of the Roman citizens and provincials who were almost all in Pompey's interest, to join them, and hold the province for Pompey. In the mean time, P. Atius Varus who had been the predecessor of Considius in that province, and the warm friend of Pompey, coming to Utica, was not, though a private man, backward in accepting the office which Ligarius had rejected. At this juncture L. Ælius Tubero, who had been appointed over the province of Africa by the Senate, arrived there, and found it already in the hands of Varus. (Cæs. B. C. i. 30.) Being prevented from landing in Africa, he proceeded with his son Quintus into Macedonia, and made his complaint to Pompey, who being in the mean time informed by Varus of the defeat of Curio, Cæsar's general, and of the province being his own, declined to interfere.

2. During the various struggles of the parties, Ligarius continued in Africa, and covertly at least, assisted the Pompeian cause. As Africa persevered in its opposition to the authority of Cæsar long after Pompey was slain, so those who were concerned in maintaining that opposition incurred in a higher degree the resentment of Cæsar. On the capture of Adrumetum however, Ligarius, owing to some mitigating circumstances, had his life granted and permission to remain there in exile.

In the mean time the brothers of Ligarius, who had been ever the firm supporters of Cæsar, his kinsmen and influential friends, particularly C. Pansa and Cicero, ceased not to supplicate Cæsar to restore him to his country. But in the end o

the year 707, Q. Ælius Tubero, who had never forgiven Ligarius for having, either on his own authority, or that of Varus, prevented him, three years before, from landing in Africa, brought against him a charge *de vi*, i. e. of assisting the enemies of his country; or, as Cicero extenuatingly states it, 'Q. Ligarium in Africa fuisse.' [Cicero, however, afterwards admits his being a Pompeian, when he says 'qui causam habet meliorem quam tu, aut, ut tu vis, parem.' And indeed without this admission Tubero's charge would be utterly absurd.] Cicero defends Ligarius in the following oration.

3. As Cæsar was well aware of the facts of the case, the orator proceeds directly to his defence, and at once admits that Ligarius was in Africa during the war. But here he makes a distinction. For dividing all the time into three parts; 1. the period of his lieutenancy *under* Considius; 2. of his government *after* Considius's departure, and 3. that which followed Varus's arrival, he pronounced him free from all blame in the first and second; and acting under compulsion in the third. c. 1. 2. He then compares the cause of Tubero and of himself with that of Ligarius, and concludes that Tubero should not have accused a man infinitely less culpable than himself. c. 3. He then shews that Tubero was ignorant of the tendency of his charge, which, as Ligarius was already in banishment, could only be to take away his life. This cruelty he severely censures, and yet he thinks it is exceeded by the attempt to prevent the pardon of Ligarius from being granted. c. 4. 5. Cicero then defends the cause of Pompey from the charge of 'wickedness,' which Tubero, by predicating it of Ligarius, one of the party, would thereby fix upon it. c. 6. He then enters into a more particular comparison of the causes of Ligarius and Tubero, and proves that of the latter infinitely the worse. c. 7. 9. Lastly he alludes to the peculiar manner of his pleading before Cæsar; how he forgets the technicalities of the advocate and throws himself on his mercy as a parent. c. 10. He adds, however, that Cæsar by granting his request will confer an eternal favour on the Ligarii, his brothers, on the Brocchi, on the Sabines, and on many Roman knights. c. 11. He concludes with an exhortation to Cæsar to follow up the noble example which he had set in lately pardoning Marcellus, since the best foundation of true greatness is clemency to the conquered. c. 12.

4. The effect produced by this oration was the acquittal and pardon of Ligarius. It were to be wished that history had here dropped the curtain; for the name of Q. Ligarius appears among the assassins of Cæsar. App. B. C. ii. 13. But justice overtook

him ; for the same historian adds (iv. 22.) that he perished along with his brother in the proscription.

It is worthy of remark that Tuberos's oration against Ligarius was extant in Quintilian's time, who thinks (x. 1.) that there is an advantage in comparing it with Cicero's. Vid. also xi. 1. where he gives a specimen of Tubero's address. It is in answer to an obvious retort to which he exposed himself,—that he too was in Africa. Quintilian well remarks that no man can with the smallest propriety, reproach another with what he has himself been guilty of, unless there are some points of difference in the cases ;—‘ *persona, ætas, tempus, causa, locus, animus.*’ He proceeds: ‘ *Tubero, juvenem se patri hæsisse, illum a senatu missum non ad bellum, sed ad frumentum coëmendum, ait : Ligarium et perseverasse, et non pro Cn. Pompeio, inter quem et Cæsarem dignitatis fuerit contentio, quum salvam uterque rempublicam vellet, sed pro Juba atque Afris inimicissimis populo Romano stetisse.*’ It is likely then, that Ligarius was not the passive spectator of the hostile struggle which Cicero represents him to have been.

THE UNITED STATES OF AMERICA
 FROM 1789 TO 1861
 BY
 JAMES M. SMITH
 VOL. I
 PART I
 CHAPTER I
 THE FOUNDING OF THE NATION
 THE first step towards the formation of a new government was the signing of the Declaration of Independence on July 4, 1776. This document declared the thirteen colonies to be free and independent states, no longer under the control of Great Britain. The next step was the drafting of the Constitution, which was completed in September 1787. This document established the framework for the new government, including the separation of powers into three branches: the executive, the legislative, and the judicial. The Constitution was then ratified by the states, and the new government was born.

The new government faced many challenges in its early years. One of the most significant was the issue of slavery. While the Constitution did not explicitly mention slavery, it did provide for the continuation of the slave trade for twenty years. This led to a long and contentious debate over the issue, which was eventually resolved by the passage of the Fugitive Slave Act in 1793. This act required that anyone who helped a runaway slave be punished, which made it difficult for many people to resist the system.

Another major challenge was the issue of federalism. The Constitution established a strong central government, but it also gave the states a significant role in the government. This led to a long and contentious debate over the issue of how much power should be given to the federal government and how much should be given to the states. This debate was eventually resolved by the passage of the Judiciary Act in 1789, which established the Supreme Court and gave it the power to review the constitutionality of laws.

The new government also faced the issue of foreign relations. One of the most significant challenges was the issue of trade with Britain. The British had a monopoly on trade with the West Indies, which meant that the United States had to trade with Britain in order to get the goods it needed. This led to a long and contentious debate over the issue of trade, which was eventually resolved by the passage of the Tariff Act in 1790. This act established a tariff on British goods, which helped to protect the American economy.

The new government also faced the issue of internal security. One of the most significant challenges was the issue of the Alien and Sedition Acts. These acts were passed in 1798 and gave the federal government the power to deport aliens and to punish anyone who spoke against the government. This led to a long and contentious debate over the issue of civil liberties, which was eventually resolved by the passage of the First Amendment in 1791. This amendment guaranteed the right of free speech and the right of assembly.

The new government also faced the issue of the economy. One of the most significant challenges was the issue of the national debt. The British had left the United States with a large debt, which the new government had to pay. This led to a long and contentious debate over the issue of how to pay the debt, which was eventually resolved by the passage of the Sinking Fund Act in 1790. This act established a fund to pay the debt, which helped to stabilize the economy.

M. TULLII CICERONIS

PRO

QUINTO LIGARIO,

AD C. CÆSAREM,

ORATIO.

I. NOVUM crimen,¹ C. Cæsar, et ante hunc diem² inauditum, propinquus meus³ ad te,⁴ Q. Tubero⁵ detulit, Q. Liga-

SECT. I.—1. *Novum crimen*] Ironically, as if he said, ‘A dreadful charge, this, Cæsar, that Ligarius was in Africa! (as if you had not pardoned even your Pharsalian foes before now;) and what is worse still, Pansa, no mean authority, has had the hardihood, trusting, no doubt, to his intimacy with you, (as nothing less could warrant such a communication,) to confess this fact! I am, therefore, completely at a loss, for (as no one could *defend*) I was prepared to *deny* the charge—which being so *new* (i. e. notorious) you, of course, could have no means of learning, either of yourself or from other sources.’ Quint. iv. 1, not only notices this *irony* but explains its use. ‘*Quid enim agebat aliud ironica illa, quam ut Cæsar minus se in rem tanquam non novam intenderet?*’ And again, ‘*Nisi cui divina illa pro Liga-*

rio ironia displicet.’ Yet Trapezunt. denies that there is any irony here. ‘*Novum crimen—inauditum,*’ is, by some, supposed to be taken from the speech of Tubero.

2. *Hunc diem*] Most likely the last day of November, A. U. 707. For this was the ‘year of confusion,’ and it was the day preceding the first of the two intercalary months inserted between November and December, that the brothers and friends of Ligarius met to entreat Cæsar, at his house; and Cic., it is supposed, immediately after proceeded to address him in the forum.—Fam. vi. 15.

3. *Propinquus meus*] Cicero himself explains this matter, inf. c. 7; from which it appears likely that the elder Tubero had married into the ‘gens Tullia,’ and hence the affinity (post affines) between the parties. He

rium in Africa fuisse;⁶ idque C. Pansa,⁷ præstanti vir ingenio, fretus fortasse ea familiaritate, quæ est ei tecum,⁸ ausus est confiteri. Itaque, quo me vertam, nescio. Paratus enim veneram, quum tu id neque⁹ per te scires, neque audire aliunde potuisses, ut ignoratione tua ad hominis miseri salutem abuterer:¹⁰ sed quoniam diligentia inimici¹¹ investigatum est id quod latebat, confitendum est, ut opinor; præsertim quum meus necessarius,¹² C. Pansa, fecerit, ut id jam integrum¹³ non esset: omissaque controversia,¹⁴ omnis oratio ad misericordiam tuam conferenda est; qua plurimi¹⁵ sunt conservati, quum a te non liberationem culpæ,¹⁶ sed errati veniam impetravissent. Habes igitur, Tubero,¹⁷ quod est accusatori maxime optandum, confitentem reum, sed

here refers to it obviously to show that his predilection should be in favour of the accuser; and, therefore, that his confidence must be great in the innocence of Ligarius.

4. *Ad te*] Who are now the arbiter of all our fates. Therefore it must be something of importance, no doubt.

5. *Q. Tubero*] The family of Tubero belonged to the 'Ælia gens.'—It was remarkable for frugality, as Val. Max., iv. 3, and vii. 5, testifies. Also Plut. Paul. Æmil. 5. They had often, however, obtained the offices of the state. This Tubero, after failing in his charge against Ligarius, according to Pompon. applied himself to the study of civil law.

6. *In Africa fuisse*] Quint. ix. 4. notices and commends the placing of this 'initium senarii' in the end of the 'caput,' or period, which he supposed to terminate here.

7. *Pansa*] This distinguished Cæsarian (Fam. vi. 13.) was consul with Hirtius, A. U. 710, and being wounded in the battle at Mutina, supporting the republic against Mark Antony, died the following day of his wounds at Bologna.

8. *Fam., quæ est ei tecum*] This

was very great; but such a mighty confession required it all.

9. *Quum tu neque, &c.*] This was very likely, indeed, in Cæsar!

10. *Abuterer*] Take advantage of. Mil. 2. n. 19.

11. *Diligentia inimici*] It required, forsooth, extraordinary pains to investigate what every body knew. 'Inimici,' Tubero.

12. *Meus necessarius*] 'Necessarius,' though generally a relation by blood or marriage, often means 'a particular friend.' So Sull. i. 1. L. Torquatus, meus familiaris et amicus.

13. *Integrum*] i. e. Undecided one way or other; for I can no longer avail myself of 'denial,' i. e. of proving an alibi.

14. *Controversia*] Debate on a law question, for which Cic. was prepared.

15. *Qua plurimi*] Sc. the Tuberos and others.

16. *Culpæ*] Voluntary; 'errati,' involuntary; sc. the case of himself and friends.

17. *Habes—Tubero*] Quint. iv. 1, produces this as an example of the effect of the *apostrophe*; and adds, 'languescit vis omnis, nobis dicentibus, Habet igitur Tubero, &c.'

tamen ita confitentem, se in ea parte¹⁸ fuisse, qua te, Tubero, qua virum omni laude dignum, patrem tuum. Itaque prius de vestro¹⁹ delicto confiteamini necesse est, quam Ligarii ullam culpam²⁰ reprehendatis. Q. enim Ligarius, quum esset²¹ adhuc nulla belli suspicio, legatus in Africam²² cum C. Considio profectus est: qua in legatione et civibus²³ et sociis²⁴ ita se probavit, ut decedens Considius provincia, satisfacere hominibus non posset, si quemquam alium provinciae praeferisset.²⁵ Itaque Q. Ligarius,²⁶ quum diu recusans nihil profecisset, provinciam accepit invitus: cui sic praefuit in pace, ut et civibus et sociis gratissima esset ejus integritas et fides. Bellum²⁷ subito exarsit:²⁸ quod, qui erant in Africa, ante audierunt geri, quam parari. Quo audito, partim cupiditate²⁹ inconsiderata, partim caeco³⁰ quodam timore, primo

18. *Ea parte*] Sc. the party of Pompey.

19. *De vestro*] 'Vestro,' sc. of you and your father.

20. *Delicto—Ligarii culpam*] We saw before, that 'culpa' is heavier than 'delictum.' If Cic. thought so, they must be here used ironically. But such distinctions are not uniformly observed.

21. *Quum esset, &c.*] He distinguishes three periods, all without charge against Ligarius, of which the first is, his lieutenancy. Quint. iv. 2, notices the propriety of the advocate giving a variety to the narration, by introducing arguments, pathos, &c., as Cic. does here. Also xi. 3, he brings this as an instance of a narration requiring 'manum prolatam, amictum recidentem, gestum distinctum, &c.'

22. *In Africam*] Sc. the Roman province, composed of the kingdom of Carthage. So Sallust Jug. 13. 'Victus ex praelio confugit in provinciam.'

23. *Et civibus*] Roman citizens who traded in the Province. Sall. Jug. 47. 'Mercari—Italici generis multi.'

24. *Sociis*] Properly, σύμμαχοι—whereas the provincials were ὑπηκόοι. Yet the latter, according to Græv., were frequently called 'socii,' by a

euphemism, and are so here.

25. *Provinciae praeferisset*] It was customary for the provincial governor, on his departure, to leave the quaestor or lieutenant, as vice-governor.—The quaestor being the more usual choice, Cicero, to prevent the inference that Ligarius had, by unworthy means, procured an office to which he was not entitled, adds that the provincials would have no other.

26. *Itaque Q. Lig.*] The second period; partly peace, partly war.—In both Ligar. was, 'sine crimine notus.' Vid. inf. 2. for the third.

27. *Bellum*] The civil war between Cæsar and Pompey.

28. *Exarsit*] A usual metaphor. Hom. στέφανος πολέμοιο δέδρε.—Virg.—quibus arserit armis. It ceased, however, to be a metaphor, in reference to Cæsar, who, without waiting for the Transalp. legions, passed the Rubicon, and, with the rapidity of a flame, overspread the lands of Italy. Plut. Pomp. 60. No wonder, then, that he says, 'qui in Africa ante audierunt geri, quam parari.'

29. *Cupiditate*] Sc. studium partium, sive—partialitas. Græv.

30. *Caeco*] Reddente cæcos; i. e. as he calls it in the Marcel. (c. 5.), 'falso et inani.' But they may

salutis, post etiam studii sui quærebant aliquem ducem : quum Ligarius domum spectans,³¹ et ad suos redire cupiens, nullo se implicari negotio passus est. Interim P. Atius Varus,³² qui prætor Africam obtinuerat,³³ Uticam³⁴ venit. Ad eum statim³⁵ concursus est. Atque ille non mediocri cupiditate arripuit imperium,³⁶ si illud imperium esse potuit, quod ad privatum clamore multitudinis imperitæ, nullo publico consilio deferrebat. Itaque Ligarius,³⁷ qui omne tale negotium cuperet effugere, paullum³⁸ adventu Vari conquevit.

II. Adhuc,¹ C. Cæsar, Q. Ligarius omni culpa vacat.

have had an *indistinct* dread of the war reaching Africa, as it had done in the time of Sylla, A. U. 671, when Pompey conquered Domitius. *Introd. Manil. 11.* To this we may refer their partiality (*studii sui*) for Pompey, who, on that occasion, had made many friends among the Africans.

31. *Quum domum spectans*] “When *quum* stands at the end of a sentence it often implies more than mere contemporaneous existence of events, and serves to direct the reader’s mind to some inference to be drawn from their being so. So here, ‘a war broke out; while *Ligarius*, *all the time*, did not allow himself, &c.’—intimating, that this was not the conduct of a determined enemy of Cæsar.” Zumpt’s *Lat. G. c. 75.* ‘*Domum spectans*’—Cæsar considered neutrality innocent; Pompey, criminal. Cicero, therefore, urges the *domestic views* of Ligarius. Avoiding every public employment, he thought of nothing but to be with his brothers, who had remained at Rome and kept aloof from the civil war, when he might have made himself the leader of the forces in Africa.

32. *Varus*] This celebrated Pompeian leader, having lost his cohorts at Auximum in Italy, came to Africa in flight. He there seized on the province for Pompey, raised two

legions, and assisted by Juba, reduced it all to obedience. But, being defeated by Cæsar, he fled to Spain, and was killed in the battle of Munda.

33. *Prætor Africam obtinuerat*] The governor of Africa was called indifferently prætor, i. e. pro-prætor, or pro-consul. *So. Phil. ii. 38.* It was the year preceding Considius’s that Varus had been in office. *Introd. 1.*

34. *Uticam*] A seaport town of Africa, on the river Bagrada, founded by Phœnicians; and celebrated by the ‘noble death’ of Cato.

35. *Ad eum statim*] i. e. Because he had been prætor there formerly, and was known to be the friend of Pompey.

36. *Imperium*] A military command, but here conferred by the provincial mob, unauthorised by either the Roman people or senate, who had appointed Tubero to that command. *Infr. 7.* *Una est profectus cum iis, &c.’*

37. *Itaque Lig.*] The *third* period, after the arrival of Varus—Ligarius still clear.

38. *Paullum*] Not altogether; for he submitted, afterwards, to the command of Varus. This he excuses on the plea of necessity. *Inf. ‘necessitatis crimen, est, &c.’*

SECT. II.—1. *Adhuc, &c.*] *Vid. Quint. iv. 2,* who considers this

Domo est egressus non modo nullum ad bellum, sed ne ad minimam quidem suspicionem belli: legatus in pace profectus, in provincia pacatissima ita se gessit, ut ei² pacem esse expediret. Profectio certe animum tuum non debet offendere. Num igitur remansio? Multo minus. Nam profectio voluntatem habuit non turpem,³ remansio etiam necessitatem honestam.⁴ Ergo hæc duo tempora carent crimine: unum quum est legatus profectus; alterum quum efflagitatus⁵ a provincia, præpositus Africæ est. Tertium est tempus, quo post adventum Vari in Africa restitit: quod si est criminosum, necessitatis crimen est, non voluntatis. An ille,⁶ si potuisset illinc ullo modo evadere, Uticæ potius, quam Romæ,⁷ cum P. Atio, quam cum concordissimis fratribus,⁸ cum alienis esse, quam cum suis maluisset? Quum ipsa legatio plena desiderii ac sollicitudinis fuisset, propter incredibilem quendam fratrum amorem, hic æquo animo esse potuit, belli discidio⁹ distractus a fratribus? Nullum igitur¹⁰ habes, Cæsar, adhuc in Q. Ligario signum alienæ a te voluntatis: cujus ego causam, animadvertē, quæso, qua

recapitulation part of the narration; whereas others, e. g. Abram., are disposed to refer it to the confirmation.

2. *Ei*] Referred by the commentators to Ligarius, as if the sense were 'bad men find it their interest to excite war rather than preserve peace; not so Ligarius.' But the question was not as to the abstract merit or demerit of Ligarius, which Cæsar did not, perhaps, regard, but whether he were chargeable with exciting the provincials to war, i. e. to declare against Cæsar. This Cic. denies, because he conducted himself so as to make it the interest of the province to preserve the profound peace which it enjoyed. Besides, if Ligarius were meant, the grammatical construction would require 'sibi.' Schel. v. i. p. 277. To 'ei,' therefore, supply 'provincia.' Quint. iv. 2., varies the words thus: 'sic eum provinciæ præfuisse, ut illi pacem expediret; where 'illi' is surely 'provinciæ.'

3. *Volunt.—non turpem*] A 'Ligatus,' for, 'highly to his credit;' for a provincial command was an object of honourable ambition.

4. *Necessitatem honestam*] 'Necessity,' because he could not resist the commands of the pro-consul, backed by the importunity of the province; 'honourable' to be so commanded and importuned. Or the latter may mean, 'such as would influence every honourable mind.'

5. *Efflagitatus*] i. e. Flagitando impetratus. *Patric.*

6. *An ille, &c.*] Probable arguments why Ligar. was not a volunteer in the cause of Pompey, and certainly not very strong ones.

7. *Romæ*] Where his brothers remained, if not neutral, attached to Cæsar's cause.

8. *Concordissimis fratribus*] One of them, T. Ligarius, the quæstor, urbanus, is mentioned, inf. c. 12.

9. *Discidio*] 'Discidium' proprie corporum, a *discindo*—'dissidium,' animorum—a *dissideo*. *Forcel.*

fide¹¹ defendam : prodo¹² meam. O clementiam admirabilem, atque omni laude,¹² prædicatione, literis, monumentisque decorandam ! M. Cicero¹³ apud te defendit,¹⁴ alium in ea voluntate¹⁵ non fuisse, in qua se ipsum confitetur fuisse, nec tuas tacitas cogitationes extimescit, nec, quid tibi de alio audienti, de seipso occurrat, reformidat.

III. Vide quam non reformidem : vide, quanta lux liberalitatis¹ et sapientiæ tuæ mihi apud te dicenti oboriatur !² Quantum potero, voce contendam,³ ut populus hoc Romanus exaudiat : suscepto bello,⁴ Cæsar, gesto⁵ etiam ex magna parte, nulla vi⁶ coactus, iudicio meo ac voluntate ad ea arma profectus sum, quæ erant sumpta contra te. Apud quem⁷ igitur hoc dico ? Nempe apud eum, qui, quum hoc sciret,⁸ tamen me, antequam vidit, reipublicæ reddidit ; qui

10. *Nullum igitur, &c.*] This being the general conclusion of the three periods, shows the meaning of 'culpa,' 'crimen,' &c. preceding ; sc. 'alienæ a te (Cæsare) voluntatis.'

11. *Fide*] The honest zeal of a 'patronus' to his client.

12. *Prodo*] *Al. cum prodo.*

12. *Laude, &c.*] Laus iudicio bonorum virorum ; prædicatio sermonibus ; literæ historiis ; monumenta lapidibus continentur. *Abram.*

13. *M. Cicero*] Quint. vi. in fine.

14. *Defendit*] Urges in defence.

15. *Ea voluntate*] He does not say 'party,' for in that he was ; but 'inclination,' for he was there of necessity.

SECT. III.—1. *Liberalitatis*] Treatment befitting freemen, generosity, clemency ; and lest it might appear rashly exerted, he adds 'sapientiæ.' The two words then, may be considered a sort of Hendiad, equivalent to 'considerate generosity.'

2. *Lux—oboriatur*] Phil. i. 2. 'lux quædam oblata,' where some read 'oborta ;' 'oboriatur' is 'subito oritur.' Manil. 12. n. 15.

3. *Voce contendam*] i.e. 'Voce contenta dicam ;' speak at the pitch of my voice. Sometimes 'voce' is suppressed, as *orat. pro Flac.* 16. 'Vociferarer, et quantum maxime

possem contenderem.' Similarly Dem. de Cor. 46. *τί διεκινάμην ἔρωσι σφόδρα ;* *Fabr.*

4. *Suscepto bello*] Quint. ix. 2. remarks that in this candid confession Cic. 'non solum ad utilitatem Ligarii respicit, sed magis laudare victoris clementiam non potest.' *Fam.* vi. ad Cæcinam, Cic. says 'susceptum bellum quiescente me, depulsum ex Italia manente me.'

5. *Gesto etiam*] Cæsar passed the Rubicon in the beginning of the year 704 ; and having in less than two months traversed the entire of Italy, he chased Pompey out of Brundisium. Cic. did not join Pompey till the end of May, after Cæsar had set out to Spain.

6. *Nulla vi*] Cic. was requested by Cæsar and his friends to remain, but on a principle of gratitude, because Pompey had procured his return from exile, he joined him in Greece. But Ligarius's was 'necessitatis crimen.'

7. *Apud quem*] This self-interrogation and reply is noticed and approved of by Quint. iv. 2.

8. *Hoc sciret*] Cic. amplifies the favour, from the circumstances attending the conferring of it. 1. Of time. 'It was done at once, before he saw

ad me ex Ægypto literas misit,⁹ ut essem idem, qui fuisssem; qui quum ipse imperator¹⁰ in toto imperio populi Romani unus esset, esse me alterum¹¹ passus est; a quo, hoc ipso¹² C. Pansa mihi nuntium perferente, concessos fasces¹³ laureatos tenui, quoad tenendos¹⁴ putavi; qui mihi tum denique se salutem putavit dare, si eam¹⁵ nullis spoliata ornamentis dedisset. Vide, quæso,¹⁶ Tubero, ut, qui de meo facto non dubitem dicere, de Ligarii non audeam confiteri!

me. 2. Place—even from Ægypt. 3. Comparison—admitting me his equal 4. Concomitants of rank—the concession of the fasces. 5. The conjunction of safety and dignity.—*Fabr.*

9. *Literas misit*] By Philotimus. Att. xi. 24; Fam. xiv. Epist. ult. ‘Redditæ mihi jam tandem sunt a Cæsare literæ satis liberales.’ ‘Ex Ægypto,’ whither Cæsar pursued Pompey after the battle of Pharsalia.

10. *Imperator*] Tiberius id quoque Blæso tribuit, ut Imperator legionibus salutaretur; prisco erga duces, honore, qui, bene gesta repub., gaudio et impetu victoris exercitus conclamabantur. Tacit. iii. 74.

11. *Alterum*] Cicero being obliged to accept a province, had by lot Cilicia, where he subdued a band of robbers which infested mount Amanus. For this exploit he was saluted Imperator by the soldiers, and applied to the senate to be allowed a triumph at Rome, which was unanimously agreed to, but prevented from taking place by the breaking out of the civil war. ‘Unum—alterum’ are not to be taken, strictly, as if Cæsar and Cicero were really the *only* ‘Imperatores’ now existing; but as if Cæsar had by his glory eclipsed the fame of all others, and yet permitted Cicero his title. Manut. says, ‘concessis fascibus laureatis, insignibus imperii.’ Inf. n. 13. Att. x. 3. Cæsar Imperator Ciceroni Imperatori, salutem.

12. *Hoc ipso*] The very same Pansa

who ventured to confess that Ligarius had been in Africa.

13. *Fasces*] Πάδες. Hence the lictors are called by Plut. ῥαδδῆχοι. They were at this time six in number, and had their wands or fasces wreathed with laurel. Cicero’s proved an annoyance rather than any thing else, as he was unable to move around Brundisium without them. Att. vii. 9. Fam. ii. 16. ‘sed incurrit hæc nostra laurus non solum in oculos sed etiam in vuculas malevolorum.’

14. *Quoad tenendos*] Namely till Oct. A. U. 707, when he had been in command four years, Att. xi. Ep. ult. Fam. xiv. 20. *Fabr.*

15. *Si eam, &c.*] So Marcel. 11. ‘A te non conservato solum, sed etiam ornato.’ And, Att. ii. 6, he writes that Oppius and others informed him of Cæsar’s intentions to pardon and honour him; and Cæsar did at Brundisium alight from his chariot and converse with him in the most friendly manner. Of all this Cicero’s well known character affords an easy solution. For ‘dare—dedisset,’ al. *reddere—redderet.*

16. *Vide, quæso*] i. e. ‘See Tubero, how [probable it is that] I should not boldly acknowledge Ligarius’s fault, if it existed, who hesitate not to declare my own!’ meaning ‘not probable at all.’ Quint. v. 10, speaking of arguments, calls this, ‘ex difficiliore;’ for if Cic. confessed his own defection he accomplished a more *difficult* task than to confess another’s. But as he denies Ligarius’s fault, the inference is that it did not exist.

Atque hæc propterea¹⁷ de me dixi, ut mihi Tubero, quum de se¹⁸ eadem dicerem, ignosceret: cujus ego industriæ gloriæque faveo,¹⁹ vel propter propinquam cognationem,²⁰ vel quod ejus ingenio studiisque delector, vel quod laudem adolescentis propinqui existimo etiam ad meum aliquem fructum redundare.²¹ Sed hoc quæro, quis putet esse crimen, fuisse in Africa Ligarium? Nempe is, qui²² et ipse in eadem Africa esse voluit, et prohibitum²³ se a Ligario queritur, et certe contra ipsum Cæsarem est congressus armatus²⁴. Quid enim, Tubero,²⁵ tuus ille districtus in acie Pharsalica²⁶ gladius agebat? cujus latus ille mucro petebat?²⁷ qui sensus²⁸ erat armorum tuorum? quæ tua mens? oculi?²⁹ manus? ardor animi? quid cupiebas? quid optabas? Nimis urgeo:

17. *Hæc propterea*] Tubero could not object to Cic. as treating him harshly, if he put him on the same footing with himself.

18. *De se*] Sc. 'Tuberone.' Cic. for emphasis uses the reciprocal pron. instead of the demonstr. when no ambiguity arises.

19. *Faveo*] For three reasons: 1. He is my relation. 2. His pursuits are congenial to mine. 3. I expect to reap some advantage from his glory.

20. *Cognationem*] He had said above 'propinquus meus,' and says below 'necessitudines quæ mihi sunt cum L. Tuberone, &c.' Manut. wonders that he should confound in these passages, the ordinary distinction of 'cognatio' and 'affinitas.' But he does not; for 'affinitas' applies to the father; and 'cognatio,' to the son.

21. *Redundare*] i. e. 'Referri, pertinere.' So. Cat. i. 12. verendum mihi, ne quid invidiæ mihi in posteritatem redundaret. Mil. 37.

22. *Nempe si qui*] Quint. xi. 1. mentions that the charge sometimes happens to admit of a retort, as here, &c.

23. *Prohibitum*] Sc. from landing in Africa.

24. *Congressus armatus*] Sc. at Pharsalia. Now Ligarius was merely

in Africa, and did not fight there.

25. *Quid enim Tubero*] This paragraph is favoured with reiterated notices by Quint. In viii. 4. it is given as an instance of amplification by synonymous words; viii. 5. of personification; ix. 2. of urgent interrogations and of ἀποστροφή, and lastly xi. 3. of pronunciation.

26. *Acie Pharsalica*] Φάρσαλος πόλις Θεσσαλίας, ἀπὸ Φαρσάλε τῆ Ἀκρισίας. Steph.

27. *Mucro petebat*] Nam punctim non cæsim, Romani hostes feriebant. Sylv.

28. *Sensus*] Armis sensum tribuit poetico more. Manut.;—what thoughts had your arms? 'quæ tua mens'?—what were your own thoughts?

29. *Oculi*] Similarly of Turnus, Æn. xii. oculis micat acibus ignis.

30. *Commoveri adolescens*:] Cic. attributes to Tubero, the emotions which were excited in Cæsar. Quint. ix. 2. Plut. in Cic. x. too, writes that at this burst of eloquence, Cæsar let fall the papers which were in his hand and even trembled; and contrary to his previous resolution pardoned Ligarius. This story however is very doubtful; and some have explained Cæsar's emotions by attributing them to an epileptic fit, to which fits he was subject.

commoveri videtur adolescens:³⁰ ad me revertar. Iisdem in armis³¹ fui.

IV. Quid autem aliud egimus,¹ Tubero, nisi, ut, quod hic potest,² nos possemus? Quorum³ igitur impunitas, Cæsar, tuæ clementiæ laus est, eorum ipsorum ad crudelitatem te acuet⁴ oratio? Atque in hac causa nonnihil equidem, Tubero, etiam tuam,⁵ sed multo magis patris tui prudentiam desidero:⁶ quod homo quum ingenio, tum etiam doctrina⁷ excellens, genus hoc causæ quod esset, non viderit. Nam, si vidisset, quovis profecto, quam isto modo⁸ a te agi maluisset. Arguis fatentem. Non est satis. Accusas eum, qui causam habet, aut, ut ego dico, meliorem, quam tu, aut, ut tu vis,⁹ parem. Hæc admirabilia¹⁰ sunt, sed prodigii¹¹ simile est, quod dicam. Non habet eam vim ista accusatio, ut Q. Ligarius condemnetur, sed ut necetur. Hoc egit civis Romanus ante te nemo. Externi isti sunt mores.¹² Usque

31. *Iisdem in armis*] i. e. In the camp of Pompey; for he was not in the battle of Pharsalia. Fam. xviii. 9. Att. xi. 4.

SECT. IV.—1. *Quid aliud egimus*] Contrive, aim at. Off. i. 13. Id agunt, ut viri boni esse videantur. Quint. v. 13. Fortissime defendentis est dicere 'quid aliud, &c.'

2. *Hic potest*] Quas opes Cæsar habet nos haberemus. *Fabrit.* Quint. ix. 2. remarks here 'Admirabiliter utriusque partis facit bonam causam.'

3. *Quorum, &c.*] Sc. the Tuberos. Quint. viii. 5. adduces this as instance of *ornamental* enthymeme. Cic. had already proved the cause of Tubero unjust.

4. *Acuet*] παροξυνεῖ. *Fabr.*

5. *Nonnihil—tuam*] For the youth of the son rendered him somewhat excusable.

6. *Desidero*] Feel the want of, miss. Manil. 2. n. 23.

7. *Doctrina*] The son excelled in jurisprudence, the father in the knowledge of history. Q. Frat. i. 1. 3. Gell. vi. 3.

8. *Isto modo*] He explains it inf.

Non habet eam vim ista accusatio, ut Ligar. condemnetur sed ut necetur.

9. *Ut tu vis*] Who say that he bore arms against Cæsar which you did too. Cic. here acknowledges him a Pompeian. *Intro.* 2.

10. *Hæc admirabilia*] i. e. παράδοξα. Al. insert *non modo*.

11. *Prodigii*] Qu. 'prodicium' from 'prodico.' *Divin.* i. 42. Quæ enim ostendunt, portendunt, monstrant, *prodicunt*, ostenta, portenta, monstra, *prodigia*, dicuntur. These are attempted to be distinguished. Thus Fronto: in *ostento* raritas facit admirationem; in *monstro* rectus naturæ ordo vincitur; in *portento* differtur eventus; in *prodigio* detrimentum significatur.

12. *Externi sunt mores*] He alludes to the Valerian and Porcian laws which rendered the persons of Roman citizens in a manner sacred; whereas the fickle Athenians, e. g. put to death their best citizens, Socrates and Phocian, the Carthaginians commonly crucified their unsuccessful generals, and the Persians were equally cruel. *Plut. Artax.* 25.

ad sanguinem¹³ incitare solent odium aut levium Græcorum,¹⁴ aut immanium¹⁵ barbarorum. Nam quid aliud agis? ut Rômæne sit? ut domo careat? ne cum optimis fratribus, ne cum hoc T. Broccho¹⁶ avunculo suo, ne cum ejus filio, consobrino¹⁷ suo, ne nobiscum vivat? ne sit in patria? Num est? num potest magis carere his omnibus, quam caret? Italia prohibetur, exsulat.¹⁸ Non tu ergo hunc patria privare, qua caret, sed vita, vis.¹⁹ At istud,²⁰ ne apud eum quidem dictatorem,²¹ qui omnes, quos oderat, morte multabat, quisquam egit isto modo. Ipse jubebat occidi, nullo postulante;²² præmiis²³ etiam invitabat.²⁴ Quæ tamen crudelitas ab hoc eodem²⁵ aliquot annis post,²⁶ quem tu nunc crudelem esse vis, vindicata est.

V. "Ego vero istud non postulo," inquires.¹ Ita mehercule existimo, Tubero. Novi enim te, novi patrem, novi domum, nomenque vestrum, studia denique generis,² ac

13. *Sanguinem*] Necem. Eurip. Orest. 400. Πυλάδης ὁ συνδρῶν αἷμα, &c.

14. *Levium Græcorum*] 'Levitas propria Græcorum.' Flac. 24.

15. *Immanium*] Marcel. 3. Domuisti gentes immanitate barbaras.

16. *Broccho*] A cognomen of the Furian family. He was Ligarius's uncle by the mother's side.

17. *Consobrini*] Qu. 'consororini,' properly the sons of two sisters; whereas the sons of a brother and sister, which it appears by the word 'avunculo,' Ligarius and Brocchus were, are called 'amitini.' But this is not strictly observed.

18. *Exsulat*] Sc. at Adrumetum. Introd. 2.

19. *Sed vita vis*] This harsh monosyllabic termination is supposed to intimate the horror of Cic. at the cruel conduct of Tubero.

20. *Istud*] Sc. 'privare vita.' *Patric.*

21. *Dictatorem*] Sylla.

22. *Nullo postulante*] The 'postulatio' was the first and necessary step in every trial. It was a request from the plaintiff to the 'quæsitör' or

presiding judge, to be allowed to prepare his charge, and that a day be named for hearing it. Fam. viii. 6. Sylla did not wait for this tedious process.

23. *Præmiis*] Namely of two talents, even though a son killed his father, and a slave his master. Plut. Syll. 31.

24. *Invitabat*] Sc. to murder; not to accuse.

25. *Ab eodem*] Nempe Cæsare.

26. *Aliquot annis*] About seventeen. For Sylla was dictator A. U. 671, and Cæsar conducted this prosecution, when ædile in 690. His plan was to reckon in the number of the 'Sicarii' those who had killed or received money for killing persons proscribed. Among those proscribed was Faustus the son of Sylla. He also restored to the sons of the proscribed the privilege of holding magistracies, which Sylla's law forbade. Suet. Jul. 11.

SECT. V.—1. *Istud — inquires*] You will tell me you do not want blood.

2. *Generis*] i. e. gentis, the Ælian; of which the Tuberos were a 'familia,' among the Lamix, Pæti, Cati, &c.

familiæ vestræ, virtutis,³ humanitatis, doctrinæ,⁴ plurimarum artium atque optimarum, nota sunt mihi omnia. Itaque certo scio, vos non petere sanguinem: sed parum attenditis. Res enim eo spectat,⁴ ut ea pœna in qua adhuc Q. Ligarius sit, non videamini esse contenti. Quæ est igitur alia, præter mortem? Si enim in exsilio est, sicuti est, quid amplius postulatis? An, ne ignoscatur? Hoc vero multo acerbius,⁵ multoque est durius. Quod nos domi petiimus⁶ precibus et lacrymis, strati⁷ ad pedes, non tam nostræ causæ fidentes, quam hujus humanitati,⁸ id ne impetremus, pugnabis? et in nostrum fletum irrumpes?⁹ et nos jacentes ad pedes, supplicum voce prohibebis?¹⁰ Si quum hoc domi¹¹ faceremus, quod et fecimus, et, ut spero,¹² non frustra,¹³ fecimus, tu derepente irrupisses, et clamare cœpisses: “C. Cæsar,¹⁴ cave ignoscas, cave te fratrum pro fratris salute obsecrantium misereatur.”¹⁵ nonne omnem humanitatem exuisses? Quanto hoc durius, quod nos domi petiimus, id te in foro oppugnare! et in tali miseria multorum,¹⁶ perfugium misericordiæ¹⁷ tollere? Dicam plane, C. Cæsar,

3. *Studia generis — virtutis*] The first is the subjective, the second the objective, genitive. Zumpt's *L.gram.* c. 70. i. e. ‘The zeal for virtue, learning, &c. belonging to your race and lineage.’ Cat. i. 5.

4. *Doctrinæ*] Cic. frequently alludes to the learning and parts of the *Ælians*. De Or. i. 56. Tuscul. iv. 2. Muren. 36.

4. *Res eo spectat*] He accuses them of unintentional cruelty; because Ligarius being already in exile any punishment must be worse than that, i.e. must be death. Introd. 2.

5. *Hoc multo acerbius*] This denial of pardon is harder than death itself. The love of country was strong in the Romans, and hence the misery of perpetual exile. Vid. the peroration of ‘the Milo.’

6. *Domi petiimus*] For Cic. had lately addressed Cæsar at his house, not to clear Ligarius from Tubero's charge, but restore him from exile. Supr. 1. n. 2.

7. *Strati*] Al. *prostrati*, and supr.

gravius for durius.

8. *Humanitati*] Mercy. Arch. 1. n. 19.

9. *Irrumpes*] Vi irrues dum nos fientes Cæsari supplicamus. *Fabr.*

10. *Supplicum voce prohibebis*] Supplicare non permittes. *Fabr.*

11. *Domi*] Sc. Cæsar's.

12. *Spero*] Arbitror. *Sylv.*

13. *Non frustra*] Cic. was aware that the appeal made at Cæsar's house had not been ineffectual. Now if the attempt to nullify that effect at the time that it was produced, were cruel in Tubero, how much more so when it was made in the forum and by a criminal impeachment?

14. *C. Cæsar*] Προσωποποίησις.

15. *Misereatur*] Impers. for ‘misereatur;’ and so quoted by Priscian, lib. viii.

16. *Miseria multorum*] Pompeians who like Ligarius were in exile from their native country.

17. *Perfug. misericordiæ*] The refuge of mercy; i. e. the refuge which

quod sentio. Si in hac tanta tua fortuna¹⁸ lenitas tanta non esset, quantam tu per te, per te, inquam, obtines,¹⁹ (intelligo, quid loquar),²⁰ acerbissimo luctu²¹ redundaret ista victoria. Quam multi enim essent de victoribus, qui te crudelem esse vellent, quum etiam de victis²² reperiantur! quam multi, qui, quum a te nemini ignosci²³ vellent, impedirent clementiam tuam, quum etiam ii, quibus ipse ignovisti, nolint te in alios esse misericordem! Quod si probare Cæsari possemus, in Africa Ligarium omnino non fuisse; si honesto et misericordi mendacio²⁴ salutis civi calamitoso esse vellemus: tamen hominis non esset, in tanto discrimine et periculo civis, refellere et coarguere nostrum mendacium; si esset alicujus, ejus certe non esset, qui in eadem causa et fortuna fuisset. Sed tamen aliud est errare²⁵ Cæsarem nolle, aliud nolle misereri. Tum diceres:²⁶ “ Cave, Cæsar, credas: fuit in Africa Ligarius: tulit arma contra te.” Nunc quid dicis? “ Cave ignoscas.” Hæc nec hominis, nec ad hominem²⁷ vox est: qua qui apud te, C. Cæsar, utetur, suam citius abjiciet humanitatem, quam extorquebit tuam.

VI. Ac primus aditus¹ et postulatio² Tuberonis hæc, ut opinor, fuit: velle³ se de Q. Ligarii scelere dicere. Non

the wretched find in Cæsar's clemency.

18. *Fortuna*] Felicitate, *εὐτυχία*; and ‘lenitas,’ clemency. *Fabr.*

19. *Per te obtines*] Possess naturally.

20. *Intelligo quid loquar*] Quint. viii. 6. reckons this as a species of *aposiopesis*. “*Tacuit enim illud quod nihilominus accipimus, ‘non deesse homines, qui ad crudelitatem eum impellerent.’*”

21. *Luctu*] Metaph. for ‘cruore;’ hence ‘redundaret.’

22. *De victis*] Among whom were the Tuberos. Supply after *victis*, ‘to wish it.’

23. *Nemini ignosci*] ‘Ignosci’ used impers., as actively it governs the dative. Mil. 24. n. 21.

24. *Honesto mendacio*] ‘Splendide mendax.’ Hor. Gloriosè mentiri. Mil. 27. n. 5. and ‘saluti esse’ servare. Al.

consultum esse.

25. *Errare*] Verum ignorare. *Fabr.* Tuberone might fairly wish to obviate this ignorance by discovering ‘the lie.’ But that is quite different from ‘nolle misereri.’

26. *Diceres*] i. e. You, Tuberone, or any friend of Cæsar, might fairly say, &c.

27. *Nec ad hominem*] But to some monster.

SECT. VI.—1. *Primus aditus*] Supposed to be taken from the speech of Tuberone; the terms of which he proceeds to censure.

2. *Postulatio*] Synonym. with ‘aditus.’ Vid. c. 4. n. 22. Fam. viii. 6. (Cælius ad Cic.) ‘Illud mihi occurrit quod inter postulationem et nominis delationem, uxor a Dolabella discessit. *Fabr.*

3. *Velle se*] The usual form of the ‘postulatio.’

dubito, quin admiratus sis,⁴ vel quod de nullo alio quisquam, vel quod is, qui in eadem causa fuisset, vel quidnam novi [facinoris] afferret. Scelus tu illud vocas, Tubero? cur? isto enim nomine illa adhuc causa caruit. Alii errorem⁵ appellant; alii timorem; qui durius, spem, cupiditatem, odium, pertinaciam; qui gravissime, temeritatem: scelus, præter te, adhuc nemo. Ac mihi quidem,⁶ si proprium et verum nomen nostri mali quærat, fatalis quædam calamitas incidisse videtur, et improvidas hominum mentes occupasse: ut nemo mirari debeat, humana consilia divina necessitate⁷ esse superata. Liceat esse miseros,⁸ quamquam hoc victore esse non possumus. Sed non loquor de nobis;⁹ de illis loquor, qui occiderunt. Fuerint¹⁰ cupidi, fuerint irati, fuerint pertinaces: sceleris vero crimine, furoris, paricidii,¹¹ liceat Cn. Pompeio mortuo,¹² liceat multis aliis carere. Quando¹³ hoc quisquam ex te, Cæsar, audit, aut

4. *Quin admiratus sis*] He imagines three causes of Cæsar's admiration, 1. that against no other Pompeian had the charge of wickedness been made; 2. that it should be made by an associate in guilt; 3. what new atrocity he might adduce.

5. *Alii errorem*] An ascending series: 'errorem,' in the Pompeians, who acted conscientiously; 'timorem' in those who were really afraid of Cæsar's tyranny; 'spem,' sc. of arriving at honours and commands; 'cupiditatem,' the feeling of party men who looked no farther than their party; 'odium,' groundless hatred of Cæsar; 'pertinaciam,' downright obstinacy in the cause they had espoused; 'temeritatem,' an inconsiderate eagerness for war. All these had some truth, the charge of wickedness none.

6. *Ac mihi quidem*] Cic. laid the blame where it could well be borne, on 'fate.' So Marcel. 5. 'Ad illa arma fato sumus nescio quo compulsi.'

7. *Divina necessitate*] A periphrasis for 'fato.'

8. *Liceat esse miseros*] Not 'scelestos,' and yet even this with a Cæsar

for our judge is impossible. 'Licet' sometimes admits a dative after esse. *Mihi negligenti esse non licet.* Att. i. 16.

9. *Nobis*] Sc. vivis.

10. *Fuerint*] Admit they were, &c.

11. *Paricidii*] Mil. 7. n. 6. Here perhaps the parental relation of our country is alluded to.

12. *Liceat Cn. Pomp. mortuo*] On the principle of 'nil de mortuis,' it was worse to charge the dead than the living; and worse still a Pompey. He had no hesitation to name Pompey before Cæsar, who as he testifies 'ad Cæcinam' Fam. vi. 6, 'nunquam nisi honorificentissime Pompeium appellat.'

13. *Quando, &c.*] Cic. here endeavours to enlist Cæsar in his cause. 1. By pointing out his motive in the war, 'contumelias propulsare.' 2. By his anxiety for a peace, 'pacem esse cupiebas,' which he could not have felt had his opponents been 'scelerats.' 3. By his preservation of Cic. himself. ('Mihi vero, Cæsar, &c.')

tua quid aliud arma voluerunt, nisi a te contumeliam¹⁴ propulsare?¹⁵ quid egit tuus ille invictus exercitus, nisi ut suum jus¹⁶ tueretur, et dignitatem tuam? Quid? tu quum pacem esse cupiebas,¹⁷ idne agebas, ut tibi cum sceleratis, an ut cum bonis civibus conveniret? Mihi vero, Cæsar,¹⁸ tua in me maxima merita tanta certe non viderentur, si me, ut sceleratum, a te conservatum putarem. Quomodo autem tu de republica bene meritus esses, si tot sceleratos incolumi dignitate esse voluisses? Secessionem¹⁹ tu illam existimasti, Cæsar, initio, non bellum: non hostile odium, sed civile dissidium,²⁰ utrisque cupientibus rempublicam salvam, sed partim consiliis,²¹ partim studiis a communi utilitate aberrantibus. Principum dignitas erat pæne par;²² non par fortasse eorum, qui sequebantur:²³ causa tum dubia,²⁴ quod erat aliquid in utraque parte, quod probari posset; nunc melior certe ea judicanda est, quam etiam dii²⁵ adjuverunt. Cognita vero clementia tua, quis

14. *Contumeliam*] Sc. in recalling him from Gaul before his command was expired, requiring him to stand in person for the consulship, and instead of voting him a triumph, insisting on his giving an account of his administration.

15. *A te — propulsare*] Not to offer it. So 'nisi ut jus suum tueretur' not 'overturn that of others.' *Patric.*

16. *Suum jus*] Sc. that of the army; but of the army as composed of citizens whose rights were involved in the treatment of Cæsar. For many of them had voted for admitting Cæsar's claim to stand for the consulship in his absence, but the law was neglected, and therefore their rights.

17. *Pacem cupiebas*] Cæsar's anxiety for peace is fully testified by Cic. in his epistle to Tiro (Fam. xvi. 11) and to Cæcina, Fam. vi. Vid. also Att. ix. 8. and B. C. iii. 8.

18. *Mihi vero Cæsar*] Supr. n. 13.

19. *Secessionem*] A mild word for defection or revolt; taken from the early secessions of the Romans to Mons Sacer, Janiculum, &c. by adopting which he frees Cæsar from the charge of exciting a civil war.

20. *Dissidium*] Supr. 2. n. 9. where this is shewn to apply to the mind.

21. *Partim consiliis*] 'Some through upright views; others again, through party feelings.' The persons meant by 'partim, partim,' are not to be considered as making up the whole 'utrisque,' else Cæsar should be included, which cannot be intended.

22. *Pæne par*] Lucan decides differently. Pompey, he says, 'stat magni nominis umbra,—sed non in Cæsare tantum Nomen erat nec fama Ducis.' *Abram.* And so did Cic. in writing to his friend Att. vii. 11. The reader may compare Cicero's account of Pompey's exploits in the Lex Manil. with Cæsar's account of Cæsar's in his Commentaries, and judge for himself.

23. *Eorum qui sequebantur*] For nearly all the 'optimates' were in Pompey's camp. So Velleius ii. 49. Pompeium senatus auctoritas; Cæsarem militum armavit fiducia. Att. vii. 2.

24. *Causa tum dubia*] He did not think so when writing to Atticus, vii. 2. 'Causam solum illa causa non habet; cæteris rebus abundat.'

25. *Quam etiam dii, &c.*] So. Luc.

non eam victoriam probet,²⁶ in qua occiderit nemo, nisi armatus ?

VII. Sed, ut omittam communem causam, veniamus ad nostram.¹ Utrum tandem² existimas facilius fuisse, Tubero, Ligarium ex Africa exire, an vos in Africam non venire ? Poteramusne,³ inquires, quum senatus censuisset ?⁴ Si me consulis,⁵ nullo modo.⁶ Sed tamen Ligarium senatus idem legaverat.⁷ Atque ille eo tempore⁸ paruit, quum parere senatui necesse erat ; vos tum paruistis, quum paruit nemo, qui noluit.⁹ Reprehendo igitur ? Minime vero. Neque enim licuit aliter vestro generi,¹⁰ nomini, familiæ, disciplinæ. Sed hoc non concedo, ut, quibus rebus gloriemini in vobis, easdem in aliis reprehendatis.¹¹ Tuberonis¹² sors coniecta¹³ est ex senatus consulto quum ipse non adesset, morbo etiam impediretur : statuerat excusare.¹³ Hæc ego novi propter omnes necessitudines, quæ mihi sunt cum L. Tube-

i. 128. Victrix causa Deis placuit, sed victa Catoni. Quint. v. 11. admits of the propriety of an appeal to divine authority, and quotes this passage ; and Livy, xxi. 10. says 'eventus belli, velut æquus iudex, unde jus stabat, ei victoriam dedit.'

26. *Quis non probet*] i. e. The Gods decided which cause was the better ; but it is only the experience of your clemency that will gain to your victory a hearty approval.

SECT. VII.—1. *Communem — nostram*] 1. Of all the Pompeians. 2. Ligarius's.

2. *Utrum tandem*] He shews the superiority of Ligarius's cause because Tubero went to the province when its fidelity to the republic was doubtful ; and sent by a senate the organ of a party. Not so Ligarius.

3. *Poteramus*] Subaudi 'in Africam non venire.' Could we avoid going into Africa ?

4. *Sen. censuisset*] Sc. Nos venire debere.

5. *Me consulis*] Consult me. 'Mihi consulis,' consult for me.

6. *Nullo modo*] 'I answer by no means ;' for I never opposed the wishes of the senate.

7. *Senatus legaverat*] This was an undisputed privilege of the senate. Vat. 15. 'Quis legatos unquam audit sine senatusconsulto.' Manil. 19.

8. *Eo tempore*] A. V. 703, before the civil war commenced.

9. *Qui noluit*] For any who did not choose to obey the senate found a refuge with Cæsar.

10. *Generi*] Nobili ; 'nomini,' Æliorum ; 'familiæ,' Tuberorum.

11. *In aliis reprehendatis*] E. g. 'in Ligario.'

12. *Tuberonis, &c.*] Of Lucius Tubero the elder. 'Sors coniecta,' i. e. Tabella Tuberonis nomine inscripta in urnam cum aliis missa est. *Forcel.* ; these lots being shaken were drawn by a boy. Tibul. i. 1. 'Illa sacras pueri sortes ter sustulit.' They said also 'provinciæ vel candidati in sortem coniecti sunt.' Liv. xxx. 1. and Fam. viii. 8. The allotment was preceded by a decree of the senate determining the provinces so to be disposed of. Inf. 'senatus sorsque.'

13. *Statuerat excusare*] Sc. 'morbum.' Al. *se* ; and 'omnes,' al. *communes*. But, Sext. 17. M. Crassus quorum mihi erant omnes amicitiae necessitudines.

rone. Domi una eruditi, militiæ contubernales,¹⁴ post affines,¹⁵ in omni denique vita familiares: magnum etiam vinculum,¹⁶ quod iisdem semper studiis usi sumus. Scio igitur Tuberone domi manere voluisse:¹⁷ sed ita quidam agebant,¹⁸ ita reipublicæ sanctissimum nomen opponebant,¹⁹ ut, etiam si aliter sentiret, verborum tamen ipsorum²⁰ pondus sustinere non posset. Cessit auctoritati amplissimi viri,²¹ vel potius paruit.²² Una est profectus cum iis, quorum erat una causa;²³ tardius iter fecit, itaque in Africam venit jam occupatam.²⁴ Hinc²⁵ in Ligarium crimen oritur, vel ira potius. Nam, si crimen²⁶ est, prohibere illum voluisse, non minus magnum est, vos Africam, arcem²⁷ omnium provinciarum, natam ad bellum²⁸ contra hanc urbem gerendum, obtinere voluisse, quam aliquem se maluisse. Atque is tamen aliquis,²⁹

14. *Contubernales*] i. e. military chums. Theme 'taberna,' a tent-plank. The centuries were divided into decuries, each of which quartered under one tent. Veget. ii. 13. 'Militia' the social, in which Cicero served under Pompeius Strabo.

15. *Affines*] Tuberone's wife was of the 'Tullia gens.' Supr. 1. n. 3; and Att. xiii. 20.

16. *Magnum vinculum*] Quint. i. 2. arguing for a public education, says 'Mitto amicitias quæ ad senectutem usque firmissimæ durant, religiosa quandam necessitudine imbutæ. Neque enim est sanctius sacris iisdem quam studiis initiari.

17. *Voluisse*] i. e. 'Wished and might,' for the argument goes to shew that he was free to act as he pleased.

18. *Quidam agebat*] Catonem hic innuit. *Grut.*

19. *Opponebant*] Sc. to Tuberone's inclination.

20. *Ipsorum*] Non verborum sed eorum qui verbis illis ad eum utebantur. *Patric.*

21. *Amplis. viri*] Pompey.

22. *Cessit — paruit*] 'Cedere' voluntatis est; 'parere' observantiæ. *Manut.* Hence 'paruit' is a correction of the former.

23. *Iis una causa*] i. e. Agreed

with him in political sentiments.

24. *In Africam — occupatam*] Sc. by Varus.

25. *Hinc*] Sc. because he was not received into Africa, arises a charge or rather angry pique.

26. *Nam si crimen, &c.*] i. e. 'If his wishing to prohibit him from Africa is criminal, your wishing to obtain it rather than that any one else should prefer to have it, is no less criminal.' We are thus obliged to understand *potius* before *quam* as in Greek μάλλον is often supplied before η. Ern. asks with reason—quæ Latinitas 'aliquis se mavult obtinere;' and therefore omits the second 'voluisse,' and 'se.' So that the translation runs: 'your being more willing to obtain it than that any one else (aliquem) should, is no less criminal.' And this, requiring no ellipsis to be supplied, if warranted by MSS., is simpler.

27. *Arcem omnium provinciarum*] 'The strong hold of all the provinces;' as possessing the greatest resources. So Cat. iv. 6. 'Urbem arcem omnium gentium.'

28. *Natam ad bellum*] Fitted by natural position, &c. Hence the Punic wars.

29. *Is aliquis*] That 'any one else' was not Ligarius but Varus. *Deiot.* 3.

Ligarius non fuit. Varus imperium³⁰ se habere dicebat; fasces³¹ certe habebat. Sed quoquo modo se illud habet,³² hæc querela vestra, Tubero, quid valet? "Recepti in provinciam non sumus." Quid, si essetis?³³ Cæsarine eam tradituri fuissetis, an contra Cæsarem retenturi?

VIII. Vide, quid licentiæ, Cæsar, nobis tua liberalitas det, vel potius audaciæ. Si responderit Tubero, Africam, quo senatus eum sorsque¹ miserat, tibi patrem suum traditurum fuisse: non dubitabo apud ipsum te, cujus id eum facere interfuit,² gravissimis verbis ejus consilium reprehendere. Non enim si tibi ea res grata fuisset, esset etiam probata.³ Sed jam hoc totum⁴ omitto: non tam, ut ne offendam tuas patientissimas aures,⁵ quam ne Tubero, quod nunquam cogitavit, facturum fuisse videatur. Veniebatis⁶ igitur in Africam provinciam, unam ex omnibus huic victoriæ maxime infestam;⁷ in qua erat rex potentissimus,⁸ in-

30. *Imperium*] Vid supra. 2. n. 36. It was a usurped command.

31. *Fasces*] He had at least the ensigns of authority.

32. *Quoquo modo se illud habet*] i.e. Whether Varus or Ligarius held the command. Quint. v. 13. notices the skill of the pleader, who finds apparent contradictions in the charges of his opponent, e. g. Tubero accuses Ligarius of being in Africa at the very time that he complains of being denied admission there himself, i. e. accuses Ligarius of a crime, and then complains that he was prevented by Ligarius from committing the same crime.

33. *Quid si essetis?*] His argument assumes a disjunctive form: 'You must, if admitted into the province, have held it either for Cæsar or Pompey? If you say for Cæsar, even Cæsar will not approve of such treachery; and indeed the supposition is monstrous. You must then have held it for Pompey; and that this was your design, your subsequent conduct proves. For as soon as you found yourself excluded, you withdrew to Pompey. Why then complain that you were prevented from

fighting against Cæsar? Falsely boast then, if you will, that had you been allowed to land, you would have delivered Africa to Cæsar; for it only sets your treachery in a stronger light.' This appears to be the drift of the argument in the eighth section.

SECT. VIII.—1. *Senatus eum sorsque*] Supr. 7. n. 13. 'Eum,' the elder Tubero, not the 'respondent.'

2. *Cujus — interfuit*] Whose interest it was that Tubero should do so.

3. *Non enim si grata — probata*] Nam aliud est gratum habere, aliud probare. *Abram.* For what promotes a man's interest is generally agreeable to him, however his conscience may disapprove of the means employed.

4. *Hoc totum*] Sc. the supposed perfdy of Tubero.

5. *Patientissimas aures*] For he had said above 'vide quid licentiæ, Cæsar, nobis tua liberalitas det, vel potius audaciæ.' Hence Cæsar would listen most patiently to his censures on Tubero's designs; but inasmuch as they were not really Tubero's he will omit their statement.

6. *Veniebatis*] Attempted to enter.

7. *Maxime infestam*] Owing to its

amicus huic causæ,⁹ aliena voluntas conventus⁹ firmi atque magni. Quæro, quid facturi fuistis? Quamquam quid facturi fueritis, non dubitem, quum videam, quid feceritis?¹⁰ Prohibiti estis in provincia vestra pedem ponere,¹¹ et prohibiti, ut perhibetis, summa cum injuria. Quomodo id tulistis? Acceptæ injuriæ querelam ad quem detulistis? Nempe ad eum, cujus auctoritatem¹² secuti, in societatem belli veneratis. Quod si Cæsaris causa in provinciam veniebatis, ad eum profecto exclusi provincia venissetis. Venistis ad Pompeium. Ergo quæ est hæc apud Cæsarem querela, quum eum accusatis, a quo queramini vos prohibitos contra Cæsarem bellum gerere? Atque in hoc quidem vel cum mendacio, si vultis, gloriemini per me licet, vos provinciam fuisse Cæsari tradituros, etiam si¹³ a Varo et quibusdam aliis prohibiti essetis. Ego autem confitebor culpam esse Ligarii, qui vos tantæ laudis¹⁴ occasione privaverit.

IX. Sed vide, quæso, C. Cæsar, constantiam¹ ornatissimi viri, L. Tuberonis; quam ego, quamvis ipse² probarem, ut probō, tamen non commemorarem, nisi a te cognovissem imprimis eam virtutem solere laudari. Quæ fuit igitur unquam in ullo homine tanta constantia? constantiam dico?³ nescio, an melius patientiam⁴ possim dicere. Quotus enim

early connexion with Pompey. Supr. 1. n. 30.

8. *Rex potentissimus*] Juba.

9. *Huic causæ*] As 'huic victoriæ,' Cæsar's.

9. *Conventus*] 'Cum a magistratibus judicii causa populus congregatur.' *Fest.* But this meaning, answering to our assizes, does not apply here; the import being simply a meeting of Roman citizens attached to Pompey. Ern. makes it the nom. plur., but, as this would require 'alieni' or the like to be understood, Orel. properly refers it to 'voluntas' as the genitive.—'Firmi' ad opes; 'magni' ad multitudinem refert. *Manut.*

10. *Quid feceritis*] 'What you did;' sc. joined Pompey.

11. *Pedem ponere*] He was not even allowed to land his sick son. Cæs. B. C. i. 29.

12. *Eum cujus auctoritatem*] Cic.

intimates that a regard for Pompey was the inducement of Tubero, not the justice of his cause.

13. *Etiam si*] Although you had been prevented by Varus, yet had you not, that you intended delivering the province to Cæsar. Al. *nisi*.

14. *Qui vos tantæ laudis*] Ironical; their greatest disgrace had been to have so acted.

SECT. IX.—1. *Constan.*] Bitter irony—'the levity of a dastard'—as 'patientiam' infr. also implies.

2. *Quamvis ipse, &c.*] 'Though highly approving of it myself, as I do, yet, &c.' A hero like Cæsar could not but approve of firmness of character.

3. *Constantiam dico*] Mil. 24. n. 3.

4. *Patientiam*] The name of this virtue is here taken to express 'passiveness under insult.' It is a continu-

istud quisque fecisset,⁵ ut, a quibus⁶ in dissensione civili non esset receptus, essetque etiam cum crudelitate rejectus, ad eas ipsas rediret? Magni cujusdam animi⁷ atque ejus viri est, quem de suscepta causa propositaque sententia nulla contumelia, nulla vis, nullum periculum posset depellere. Ut enim⁸ cetera paria Tuberoni cum Varo fuissent, honos, nobilitas,⁹ splendor, ingenium, quæ nequaquam fuerunt: hoc certe præcipuum Tiberonis fuit, quod justo¹⁰ cum imperio ex senatusconsulto in provinciam suam venerat. Hinc prohibitus, non ad Cæsarem, ne iratus;¹¹ non domum, ne iners; non aliquam¹² in regionem, ne condemnare causam illam, quam secutus esset, videretur: in Macedoniam ad Cn. Pompeii castra venit, in eam ipsam causam a qua erat rejectus cum injuria. Quid? quum ista res nihil commovisset ejus¹³ animum, ad quem veneratis; languidiore, credo, studio¹⁴ in causa fuistis: tantummodo in præsidiis¹⁵ eratis; animi vero a causa abhorrebant. An, ut fit¹⁶ in bellis civilibus, nec in vobis magis,

ation of the irony.

5. *Quotus—fecisset*] ‘How seldom had an individual so acted that, &c.’ ‘Quotus,’ like ‘tantus,’ often used for diminution.

6. *A quibus*] He means Varus, and ‘ad eas ipsas’ does not mean that he returned to Varus, but to Pompey, whom Varus supported.

7. *Magni—animi*] Continuation of the irony.

8. *Ut enim, &c.*] For admitting their equality in the following particulars; which was by no means the case, Tubero having the superiority in them all.

9. *Nobilitas*] For the ‘Æliæ gens’ was ‘vetusto nobilis ab Lamo’ (Hor. Od. iii. 17), and had formed alliances with the Scipios; the ‘Atia’ was rather obscure till ennobled by Augustus Cæsar, the son of Atia, the daughter of M. Atius Balbus.

10. *Justo*] Regular, i. e. appointed by the senate, not as Varus’s ‘clamore multitudinis imperitæ.’—Supr. 1. So Phil. i. 2. ‘Dictatoris nomen quod sæpe justum fuisset.’

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11. *Ne iratus*] Sc. against Pompey, under whose authority Varus acted.

12. *Aliquam*] i. e. ‘Aliam quam;’ any other country free from war.

13. *Ejus*] Pompey’s, who knew too well the zeal and abilities of Varus to reprove him for holding Africa.

14. *Languidiore, credo, studio*] Ironical; for Tubero, notwithstanding all the affronts offered him by Pompey, was obstinate in his opposition to Cæsar.

15. *In præsidiis*] Præsidium is, 1. a body of men, ‘qui præsidebant aliquo loco extra castra;’ 2. the place where they guarded, a station, a post; 3. the protection afforded by guards. It is here in the second sense, ‘the military posts, the camp of Pompey,’ which, forsooth, the Tuberos frequented with their body (corpore), while their hearts (animi) were elsewhere.

16. *Ut fit, &c.*] Cic. asserts, 1. that all coveted victory; 2. that he himself, with all his eagerness for peace, did so too. And this qualified self-accusation permitted him,

R

quam in reliquis,¹⁷ omnes vincendi studio tenebamur? Pacis equidem semper auctor¹⁸ fui: sed tum sero. Erat enim amentis,¹⁹ quum aciem videres, pacem cogitare. Omnes, omnes, inquam, vincere volebamus: tu certe præcipue, qui in eum locum²⁰ venisses, ubi tibi esset pereundum, nisi vicisses. Quamquam,²¹ ut nunc se res habet, non dubito, quin hanc salutem²² anteponas illi victoriæ.

X. Hæc ego non dicerem, Tubero, si aut vos constantiæ vestræ, aut Cæsarem beneficii sui poeniteret. Nunc quæro,¹ utrum vestras injurias,² an reipublicæ persequamini. Si reipublicæ: quid de vestra in ea causa³ perseverantia respondebitis? Si vestras: videte ne erretis, qui Cæsarem vestris inimicis iratum fore putetis, cum ignoverit suis.

Itaque num⁴ tibi videor, Cæsar, in causa Ligarii occupatus esse? num de ejus facto dicere? Quidquid dixi, ad unam summam⁵ referri volo vel humanitatis, vel clementiæ, vel

3. to charge Tubero with a more ardent desire for it, because he had shown his partiality to Pompey and hatred towards Cæsar so openly, that if the latter were victorious, he could expect nothing but death at his hands.

17. *In reliquis*] Sc. of our party, not, as Patric., the Cæsarians. Hence the following 'equidem,' i. e. 'ego-quidem.' I, to be sure, was an exception.

18. *Auctor*] Phil. ii. 10. 'Pacis, concordiæ, auctor esse non destiti.'

19. *Erat amentis*] This 'folly' was not left untried, as appears from the case of Musonius Rufus, a stoic philosopher, recorded by Tacit. (Hist. iii. 81.) who 'permixtus manipulis, bona pacis, et discrimina belli disce-rens, armatos monebat.' The generality laughed at him, many were tired listening, some jostled and trod on him, till, through the threats of some and advice of others, he gave up his ill-timed philosophy.

20. *In eum locum*] Sc. Pompey's camp, where Cic. did not remain during the battle of Pharsalia, having retired to Dyrrachium, with M. Var-

ro and Cato. *Divinat.* 1. *Manut.* But it appears better to translate it generally, 'you have come to such a pass that.'

21. *Quamquam*] A correction.—And yet now that Cæsar has granted you pardon.

22. *Hanc salutem*] Safety with him to victory with Pompey. This arose from the extreme clemency and exalted character of Cæsar.

SECT. X.—1. *Nunc quæro*] A dilemma, by which he convicts Tubero either of political profligacy or cruelty of disposition.

2. *Vestras injurias*] Objectively, the wrongs which you suffered from Ligarius. *Zumpt.* L. Gram. c. 70.

3. *In ea causa*] The cause of Pompey, and your's as well as Ligarius's.

4. *Itaque num, &c.*] He now throws himself and his suit on the mercy of Cæsar; and begs to dis-abuse him if he imagined he was pleading the cause of Ligarius. It was altogether an appeal to his humanity, &c.

5. *Summam*] *Κεφάλαιον*, caput. *Fabr.*

misericiordiæ tuæ. Causas, Cæsar, egi multas quidem tecum,⁶ dum te in foro⁷ tenuit ratio honorum tuorum: certe nunquam hoc modo, "Ignoscite, judices, erravit; lapsus est; non putavit:⁸ si unquam posthac."⁹ Ad parentem sic agi solet:¹⁰ ad judices, "Non fecit, non cogitavit, falsi testes, fictum crimen." Dic, te, Cæsar, de facto Ligarii judicem¹¹ esse: quibus in præsiidiis¹² fuerit, quære. Taceo. Ne hæc quidem colligo,¹³ quæ fortasse valerent etiam apud judicem: 'Legatus¹⁴ ante bellum profectus, relictus in pace, bello oppressus, in eo ipso non acerbus, totus¹⁵ animo et studio tuus.' Ad judicem sic agi solet: sed ego ad parentem loquor: 'Erravi, temere feci, pœnitet; ad clementiam tuam confugio, delicti veniam peto; ut ignoscas, oro.' Si

6. *Causas—multas—tecum*] Cæsar's talents as an orator are testified by his cotemporaries. According to Quintilian, (x. 1,) he was the only man fit to be a rival of Cicero: since (in his pithy expression) 'eodem animo dixit quo bellavit.' Suet. Jul. 55. 56. Plut. Cæs. 3.

7. *Dum te in foro*] In his twenty-first year, he accused Dolabella; and continued his pleadings till nearly forty. This is what he calls 'ratio honorum,' the course of your honours. The prætorship was obtained in the fortieth year. Mil. 9. n. 6.

8. *Non putavit*] Οὐκ ᾤκηθη. Dem. Phil. iii. 14, remarks that it is a shame when a thing has happened, to say, *τις γὰρ ἂν ᾤκηθη ταῦτα γενέσθαι*; and it is the proverbial resource of the fool to say, 'non putāram.'—Quint. vi. 13, says that deprecation is unsuited to regular trials, and is only to be used before judges who are at liberty to pronounce sentence just as they please; e. g. Cæsar.

9. *Si unquam posthac*] Terence, Phor. i. 2, gives the phrase more fully. 'Nunc omite quæso hunc: ceterum Posthac si quicquam, nihil precor.' And Plautus, Casina, v. 4, more fully still: 'Si unquam posthac tale admisero, Nulla causa est quin—virgis verberes.'

10. *Ad parentem sic agi solet*] Refer this to 'certe nunquam hoc modo.' As an advocate, Cic. seldom employed it. Perhaps he hints, too, that Cæsar was 'parens patriæ.'

11. *Dic, te—judicem*] He bids Cæsar to imagine himself a judge of Ligarius, and to put to him, as counsel, the usual questions. Quint., vi. 1, considers that when the parties concerned in a trial are brought forward speaking, it constitutes a species of prosopopœia, which he pronounces useful in exciting favourable emotions in the hearts of the judges.

12. *Quibus in præsiidiis*] In Pompey's or in Cæsar's? Supr. ix. 15.

13. *Colligo*] The technical term for collecting proofs for a trial. Phil. ii. 17. 'Hæc ut colligeres, &c.'—Deiot. 12. 'At quam acute collecta crimina.' It seems, however, in these cases not merely to intimate 'collecting,' but also, 'drawing inferences'—(its proper meaning, ἀναλογίζω)—from the charges adduced.

14. *Legatus, &c.*] Cicero, professing to be silent, and throw himself on the sole mercy of Cæsar, nevertheless contrives to bring forward, in one view, the most prominent points of his defence.

15. *Totus*] Al. *tum etiam totus*. 'Animo et studio;' in heart and af-

nemo impetravit, arroganter: si plurimi, tu idem fer opem, qui spem dedisti. An sperandi¹⁶ Ligario causa non sit, quum mihi apud te locus sit etiam pro altero deprecandi? Quamquam neque in hac oratione¹⁷ spes est posita causæ, nec in eorum studiis,¹⁸ qui a te pro Ligario petunt, tui necessarii.

XI. Vidi enim et cognovi, quid maxime spectares, quum pro alicujus salute multi laborarent:¹ causas² apud te rogantium gratiosiores esse, quam vultus; neque spectare, quam tuus esset necessarius is, qui te oraret, sed quam illius, pro quo laboraret. Itaque tribuis tu quidem³ tuis ita multa, ut mihi beatiore⁴ illi esse videantur interdum, qui tua liberalitate fruuntur, quam tu ipse, qui illis tam multa concedis. Sed video tamen, apud te causas, ut dixi, rogantium valere plus, quam preces, ab iisque te moveri maxime, quorum justissimum dolorem videas in petendo. In Q. Ligario⁵ con-

fection, though prevented by circumstances from proving it in deed.

16. *An sperandi*] Quint., v. 10, calls this 'comparatio ex difficiliore;' for it was obviously *more difficult* for Cicero, who was already indebted to Cæsar for his own, to urge the pardon of another, than for that other to hope for a pardon. But this being done, Cæsar would hardly forfeit the glory of his clemency, gained in pardoning the one, by refusing the same pardon to the other. *Abram. Supr. 3. n. 16.*

17. *Neque in hac oratione, &c.*] Neither in my deprecatory speech, nor the affectionate interference of your personal friends.

18. *In eorum studiis*] Sc. 'in Cæsarem,' not 'in Ligarium.'

SECT. XI.—1. *Laborarent*] Solliciti essent et te precarentur. *Sylv.*

2. *Causas*] The reasons which the entreating parties have for pressing their suit. 'Gratiosiores,' of more influence with you. *Al. gratiores*, and *Ern. graviore*, who allows, that men are called 'gratiosi,' but not things.

3. *Itaque—quidem*] 'Accordingly, you do not, to be sure, deny your own friends any favour, as the preceding

remark (neque te spectare *quam* tuus esset necessarius) might lead a person to suppose—so far from that, you are above measure liberal to them; still I see (sed video tamen) that the causes, &c.'

4. *Beatiore*] Dives, says Varr. iv. 17, a divo qui, ut deus, nihil indigere videtur; beatus qui multa bona possidet. Cic. does not mean that they were 'happier' than Cæsar, but as we say, 'better off'—'wealthier.' Cæsar was so generous that he left himself in a worse situation than the recipients of his bounty. This accords with the account of Sall. Cat. c. 61. 'nihil denegare quod dono dignum esset.'

5. *In Q. Ligario*] And this introduces the case of Ligarius. He here reasons syllogistically. Thus the major (*Vidi enim, &c.*) is shortly: Just grounds (*causas*) for interference in the suppliants usually avail with Cæsar. The friends of Ligarius have the justest grounds, (*minor*). Therefore, &c. In establishing the minor he is able to enumerate all the friends of Ligarius who are interested in his fate. *Fabr.* And this he proceeds to do.

servando multis tu quidem gratum facies⁶ necessariis tuis: sed hoc,⁷ quæso, considera, quod soles. Possum fortissimos viros, Sabinos,⁸ tibi probatissimos,⁹ totumque agrum Sabinum, florem Italiæ, ac robur reipublicæ proponere. Nosti optime homines. Animadvertite horum omnium mœstitiâ et dolorem: hujus T. Brocchi,¹⁰ de quo non dubito, quid existimes, lacrymas squaloremque¹¹ ipsius et filii vides. Quid de fratribus¹² dicam? Noli, Cæsar, putare, de unius capite¹³ nos agere. Aut tres tibi Ligarii in civitate retinendi sunt, aut tres ex civitate exterminandi. Quodvis exsilium his est optatius, quam patria, quam domus, quam dii penates, uno illo exsulante. Si fraterne, si pie, si cum dolore¹⁴ faciunt, moveat pietas, moveat germanitas,¹⁵ valeat tua vox¹⁶ illa, quæ vicit. Te enim dicere audiebamus, nos, omnes¹⁷ adversarios putare, nisi qui nobiscum essent: te omnes, qui contra te non essent, tuos. Videsne¹⁸ igitur hunc splendorem, omnem hanc Brocchorum domum, hunc L. Marcium,¹⁹ C. Cæse-

6. *Gratum facies*] Gratificabere, *χαριῶν*. Fabr.

7. *Hoc*] Causas rogantium.—*Patr.*

8. *Sabinos*] The first in his enumeration: Ligarius was of Sabine origin; and it was usual for the whole people of a district to appear at Rome in defence of a patron or countryman. So the Campanians appeared in favour of Cicero, on his return from banishment.

9. *Probatissimos*] Plut. writes, that they afforded Cæsar an asylum during the proscription of Sylla, and he may have tried and proved their valour in his legions.

10. *Brocchi*] Ligarius's maternal uncle and his sons; the second in his list. Supr. 4. n. 16.

11. *Squaloremque*] The garb of mourning. Mil. 8. n. 2. 'Squalent municipia.'

12. *Fratribus*] Titus, who is mentioned infr., and, it is supposed, Marcus. The third in the list of Ligarius's friends.

13. *Unius capite*] Vita, salute.—*Fabr.*

14. *Fraterne—pie—cum dolore*]

These words apply particularly to the third class, but intimate the general conclusion; sc. 'that the prayers of Ligarius's friends ought to have weight with you.' The corresponding words 'lacrymæ—pietas—germanitas,' are, it is observable, in the reverse order.

15. *Germanitas*] Brotherhood; from 'germanus,' qu. 'eodem germine profectus'—*Fest.*; or 'eadem genetrice manans,' *Serv.*; properly, a full brother; sometimes a half-brother.

16. *Valeat tua vox*] He strengthens his conclusion by the testimony of Cæsar, and the contrast which Pompey's conduct exhibited.

17. *Nos omnes*] Vid. Matthew, 12. 36, and Luke, 9. 50.

18. *Videsne*] The fourth class of friends in general, comprising also the second. 'Splendorem' is the proper epithet of the equestrian order, as, majesty of the people, and authority of the senate.

19. *L. Marcium*] A Roman knight, related to Ligarius by marriage.

tium,²⁰ L. Corfidium,²¹ hosce omnes equites Romanos qui ad-sunt veste mutata,²² non solum notos tibi, verum etiam probatos viros? Tecum fuerunt.²³ Atque his irascebamur,²⁴ et hos requirebamus,²⁵ et his nonnulli etiam minabantur. Conserva igitur tuis suos:²⁶ ut, quemadmodum cetera quæ dicta sunt a te, sic hoc verissimum reperiatur.

XII. Quod si penitus perspicere posses concordiam Ligariorum, omnes fratres tecum judicares fuisse.¹ An potest quisquam dubitare, quin, si Q. Ligarius in Italia esse potuisset, in eadem sententia futurus fuerit, in qua fratres fuerunt? Quis est, qui horum consensum conspirantem et pene conflatum² in hac prope æqualitate³ fraterna non no-verit? qui hoc non sentiat, quidvis prius futurum fuisse, quam, ut hi fratres diversas sententias fortunasque sequerentur? Voluntate igitur omnes tecum fuerunt: tempestas⁴ abreptus est unus; qui, si consilio⁵ id fecisset, esset eorum similis, quos tu tamen salvos esse voluisti. Sed

20. *Cæsetium*] Perhaps the same as was deprived of his tribuneship for tearing the laurel crown from off the statue of Cæsar. Suet. Jul. 70.

21. *Corfidium*] By a 'lapsus memoriae' Corfidius was here mentioned, though previously dead. Cic. requests Atticus, (xiii. 44,) to be careful in having the name erased from all the copies; which, however, was not effected.

22. *Equites—veste mutata*] Sordidati. *Fabr.* No less than twenty thousand knights changed their garb in the case of Cicero. Mil. 14. n. 9.

23. *Tecum fuerunt*] Al. *fuisse*. This did not require them to be actually in Cæsar's camp. It was enough that they did not join Pompey. 'Te omnes qui contra te non essent tuos.'

24. *Irascebamur*] Therefore their deserts towards you are enhanced by their being the objects of the hatred and threats of the Pompeians. *Marcel.* 6.

25. *Hos requirebamus*] i.e. Missed, felt annoyed at the absence of. So

Supr. 5. Patris tui prudentiam requiro. Mil. 1. n. 5.

26. *Tuis suos*] i.e. To those who by their neutrality are proved to be your friends, preserve their own.—'Hoc,' then, means, your considering all these your friends who did not appear against you.

SECT. XII.—1. *Tecum—fuisse*] Sc. to have remained at Rome.

2. *Conspirantem—conflatum*] 'Concordant, and as it were, moulded into one.' One of the meanings of conflare is, 'to fuse metals;' which may supply the metaphor here.

3. *Æqualitate*] 'Ὁμηλικία. Eandem tribus Ligariis ætatem fuisse significat. *Abram.* This bond of love is frequently noticed. So *Æn.* ix. 275, Iulus makes it a reason for his peculiar regards towards Euryalus. *Eurip. Phœniss.* 338. ἀπὴν ὁμοπρέπεια.

4. *Tempestate*] *Æn.* i. 108. Tres Notus abreptas in saxa latentia torquet.

5. *Consilio*] 'Intentionally;' which he did not.

ierit⁶ ad bellum; dissenserit non a te solum, verum etiam a fratribus: hi te orant tui. Equidem,⁷ quum tuis omnibus negotiis interesset, memoria teneo, qualis tum T. Ligarius quæstor urbanus⁸ fuerit erga te et dignitatem tuam. Sed parum est,⁹ me hoc meminisse: spero etiam te, qui oblivisci¹⁰ nihil soles, nisi injurias, quoniam hoc est animi, quoniam etiam ingenii¹¹ tui, te, aliquid de hujus quæstoris officio cogitantem, etiam de aliis quibusdam quæstoribus¹² reminiscendum recordari. Hic igitur T. Ligarius, qui tum nihil egit¹³ aliud, (neque enim hæc divinabat) nisi ut tu eum tui studiosum et bonum virum judicares, nunc a te supplex fratris salutem petit. Quam hujus admonitus officio¹⁴ quum utrisque his dederis, tres fratres optimos et integerrimos, non solum sibi ipsos, neque his tot ac talibus viris, neque nobis necessariis suis, sed etiam reipublicæ condona-veris. Fac igitur, quod de homine nobilissimo et clarissimo, M. Marcello, restituto fecisti nuper¹⁵ in curia, nunc idem in foro de optimis et huic omni frequentiae probatissimis fra-

6. *Sed ierit*] But take it in the worst point of view, admit that he did go to the war, that he did, &c.

7. *Equidem*] Cic. testifies to the merits of T. Ligarius, who in his quæstorship, Lentulus and Philippus, coss., paid Cæsar a sum of money voted to him out of the public treasury, to support his army in Gaul. Fam. i. 7. This payment Cic. (Prov. Cons. 11.) strenuously supported. Others refer it, improperly, to his permitting Cæsar to plunder the treasury at the beginning of the civil war. But Cic. then took no concern in Cæsar's affairs.

8. *Quæstor urbanus*] Hi ærarium curabant, ejusque pecunias expensas et acceptas in publicas tabulas referebant. *Ascon.*

9. *Sed parum est*] He connects Cæsar's memory of it with his own.

10. *Qui oblivisci*] Quint. vi. 4.

11. *Animi — ingenii*] Temper, natural disposition.

12. *Aliis quæstoribus*] Some of whom may have opposed the grant alluded to, supr. n. 7. Patr. refers it to their preventing him from breaking

into the treasury, as mentioned, supr. n. 7.

13. *Nihil egit*] Had no object in view, was quite disinterested; for he had no prophetic vision of your wonderful exaltation. Others make 'hæc' the present calamity of his brother.

14. *Officio*] Precibus quas pro fratre fundit. *Patric.* To translate 'admonitus officio,' admonished by his services, seems to give too arrogant a meaning.

15. *Quod fecisti nuper*] Cæsar had lately pardoned M. Marcellus, who had been a strenuous supporter of the Pompeian cause. After the battle of Pharsalia he retired to Mitylene with the intention of spending the remainder of his life in retirement; but the entreaties of his brother, C. Marcellus, and his numerous friends, procured an unwilling pardon from Cæsar. For this act of clemency, Cic. returned Cæsar thanks, (Fam. iv. 4.) in a speech, which in the opinion of several eminent scholars has not been transmitted to us. This loss has been attempted to be supplied in the oration 'pro

tribus. Ut concessisti illum senatui, sic da hunc populo, cujus voluntatem¹⁶ carissimam semper habuisti: et, si ille dies tibi gloriosissimus, populo Romano gratissimus fuit, noli, obsecro, dubitare, C. Cæsar, similem illi gloriæ laudem quam sæpissime quærere. Nihil est enim tam popolare, quam bonitas; nulla de virtutibus tuis plurimis nec gravior, nec admirabilior, misericordia est; homines¹⁷ enim ad deos nulla re proprius accedunt, quam salutem hominibus dando. Nihil habet nec¹⁸ fortuna tua majus, quam ut possis, nec natura tua melius, quam ut velis servare quamplurimos. Longiorem¹⁹ orationem causa forsitan postulat, tua certe natura brevior. Quare,²⁰ quum utilius esse arbitrer te ipsum, quam aut me, aut quemquam, loqui tecum, finem jam faciam: tantum te [ipsum] admonebo, si illi absenti salutem dederis, præsentibus his omnibus te daturum.

Marcello,' by some pompous rhetorician of the Augustine age. Vid. Schutz and Orel. Marcellus did not live to reach his native country, being assassinated at Athens by a confidential friend, P. Magius Chilo.

16. *Cujus voluntatem, &c.*] i. e. Courtèd popularity. Cat. iv. 5. So Sext. 45, Cic. says, that those whose actions and words were intended to please the people were 'populares;' while those who regulated their plans so as to approve them 'cuique optimo,' were 'optimates.' But then who is meant by 'cuique optimo?'

17. *Homines, enim, &c.*] This sentiment is noticed by Strabo, x. Ἐν γὰρ εἰρηται τῷτο, τοῦς ἀνθρώπους

μάλιστα μιμεῖσθαι τῆς θεῆς ὄραν ἐνεργετῶσιν. So Plin. ii. 7. Deus est mortali juvare mortalem. Lastly, Shakesp. No ceremony that to great ones 'longs, Not the king's crown nor the deputed sword—Become them half so well as mercy does.

18. *Habet nec, &c.*] Quint. viii. 5. notices the liveliness of this turn from the third to the second person. 'Ita quæ erant rerum propria, fecit hominis.' The compliment is very elegant.

19. *Longiorem*] Cæsar's clemency, so often noticed already, here affords even a pretext for concluding.

20. *Quare*] He concludes with leaving the most important consideration impressed on the mind of Cæsar.

INTRODUCTION TO THE ORATION

FOR

KING DEIOTARUS.

DEIOTARUS was a noble tetrarch of Gallogræcia,* or Galatia, who in the several wars in which the Romans had been engaged in Asia, Cappadocia, Cilicia, and Syria, (inf. c. 13,) had often afforded powerful aid to their generals, and proved himself a zealous and faithful ally. These services did not go unnoticed nor unrewarded. Hence Cicero, Phil. xi. 13, asks, "Quæ de illo viro Sulla, quæ Murena, quæ Servilius, quæ Lucullus, quam ornate, quam honorifice, quam graviter sæpe in senatu prædicaverunt? Quid de Cn. Pompeio loquar? qui unum Deiotarum in toto orbe terrarum ex animo amicum, vereque benevolum, unum fidelem populo Romano, judicavit." The latter general, indeed, for his services against Mithridates, presented him with Armenia Minor, (Eutrop. vi. 14,) and had him recognized by the senate as king; the highest honour which the senate could bestow. (Manil. 5. n. 11.) Harusp. 13.

2. When the civil war broke out between Cæsar and Pompey, he adhered to the cause of his benefactor, and not only supplied him with military aid, but was himself in the battle of Pharsalia. (Cæs. B. C. iii. 4.) After the defeat of Pompey, true to his principles of supporting the republic, he immediately sent a supply of men and money to Cæsar to Alexandria. Inf. c. 5. In

* Gallogræcia is a region of Asia, bounded by Phrygia, Bithynia, and Armenia Minor. It was founded by a colony detached from the great Gaulish emigration under Brennus, B. C. 270, which crossed the Hellespont, and mingling with some Græcian colonies, gave the country the name of Gallogræcia, the inhabitants of which continued to speak the Celtic language in the days of St. Jerome, 600 years after their emigration. It was also called Galatia by the Greeks from γάλα, lac, owing to the whiteness of their bodies, as Livy, xxxviii. 21, testifies. So Æn. viii. 660—*tum lactea colla Auro innectuntur.*

the mean time, Pharnaces, the son of Mithridates, to whom, out of the vast dominions of his father, Pompey had only conceded the Cimmerian Bosphorus, invaded the dominions of Deiotarus and Ariobarzanes, with a view to recover from the former Armenia Minor, and from the latter, Cappadocia. Deiotarus, therefore, applied for protection to Domitius Calvinus (Hist. B. Alex. 33,) whom Cæsar had left as pro-consul of Asia. Domitius, after a useless attempt to bring Pharnaces to terms of peace, assisted by Deiotarus, proceeded to hostilities against that prince, but with so little success that he was obliged to retire with his scattered forces into Asia. Deiotarus having thus, by his zeal in supporting the interests of the Cæsarian party, deserved a pardon ('meruit veniam,' Schol.) for his Pharsalian error, as soon as he learned that the Roman general, proceeding against Pharnaces, had arrived in the precincts of Gallogræcia, waited on him in the garb of a suppliant (B. Alex. 67,) and in consideration of his former services, his age, dignity, and the prayers of his friends, received a pardon, and was permitted to resume the ensigns of regal dignity. About certain claims, however, which the neighbouring tetrarchs made on Gallogræcia, Cæsar decided nothing; but taking with him all Deiotarus's cavalry, and a legion trained in the Roman discipline, he proceeded against Pharnaces, whose speedy defeat is recorded in Cæsar's memorable letter to the senate, 'veni, vidi, vici.'

3. Cæsar, after this victory, proceeding to Asia, by the route of Gallogræcia and Bithynia, became the guest of Deiotarus. Of Cæsar's deportment towards his royal host, Cicero, when he was not afraid to tell the truth, thus speaks, Phil. ii. 37: "Compellarat hospitem præsens, computarat, pecuniam imperarat, in ejus tetrarchiam ex Græcis comitibus collocarat, Armeniam abstulerat a senatu datam." This 'Græcian attendant,' to whom he gave the tetrarchy of the Trogini, (a part of Gallogræcia,) was Mithridates Pergamenus, whom he had made king of the Bosphorus. To Deiotarus he left the remainder of Gallogræcia with the title of King. (C. 5. "Eum amplissimo regis honore et nomine affeceris.") When Cæsar returned from Spain, A. U. 708, Castor, the grandson of Deiotarus, by a daughter who was married to one Saocondarius, accused his grandfather of a design to murder Cæsar, when he was his guest in Gallogræcia. Castor's conduct and motives are variously represented.* The most pro-

* Ern., in his argument says, 'Graves inimicitiae intercedebant Deiotaro cum Castore, filio Saocondarii.' The Schol. 'Post cum genero, i. e. Saocondario, litem habuit.' Ern. 'Abducto ab avo medico Phidippo, Castor misit

bable account is, that his father, hoping to ingratiate himself with Cæsar, and obtain a part of Deiotarus's kingdom, sent his son to Rome, for the purpose of accusing his grandfather; and that while there, he found means to corrupt Phidippus, a physician, sent by his grandfather, as part of the embassy to conduct his defence. This embassy waited on Cicero, who readily undertook the cause of his old* friend, and argued it before Cæsar, within the walls of his own palace.

4. As in the oration for Milo, the fears of the orator, arising from the guards which surrounded the forum, afforded him matter for an exordium, so here a statement of his fears, and their causes, serves a similar purpose. This statement occupies the first and second sections. c. 1. 2. The orator then proceeds to show that the accusers basely grounded the hope of success on their knowledge of the differences which had fallen out between Cæsar and Deiotarus, and implores him to banish from his mind every shadow of grudge, and in the recollection of Deiotarus's services to himself after, to forget that he was in—the field of Pharsalia. c. 3. 5.

Cicero then addresses himself to the charge itself, sc. that Deiotarus planned the assassination of Cæsar, when he was his guest in Gallogræcia. This he disproves; first, from the well-known probity of Deiotarus, and next, from his consummate wisdom and prudence. His own interests should have deterred him from attempting such a deed; and common sense from using the means assigned. c. 6. 7.

5. It remained to disprove two corroborating circumstances adduced by his opponents: first, that Deiotarus had enrolled a large army against Cæsar; next, that he harboured disloyal thoughts and alienated feelings towards the Roman general.—These he answers, c. 8. 9; not without adding his severe reprehension of the inhuman and unnatural conduct of Castor. c. 10. 11. As no accusation, however trivial, was beneath the notice of Castor, he lastly charged his grandfather with receiving accounts from Blesamius, one of his deputies, of the unpopularity of Cæsar at Rome, the paucity of plaudits bestowed by the populace, &c. This is refuted, c. 12.

eum cum legato Romam.' The Schol. 'Gener misit qui Deiotarum accusarent.' And Cic. himself, inf. 7, says that Deiotarus sent Phidippus along with his legates, and that Castor, who was then at Rome, did there administer the bribe. So much for Ernesti's accuracy.

* When Cic. was pro-consul of Cilicia, A. U. 702, he contracted a warm friendship for Deiotarus, who gave him substantial proof of his regard, in supplying him with troops and money.

In the peroration he endeavours to effect a thorough reconciliation between Deiotarus and Cæsar, by dwelling on the virtues of the king, his services to the republic, his gratitude for the clemency he had experienced ; and lastly, by imploring an extension of it now to a royal family in distress. c. 13. 15.

6. This oration was made about the month of October or November, A. U. 708, commonly called the year of confusion.—Cæsar had triumphed on the calends of October, after his return from Spain, and appointed Q. Fabius Maximus and C. Trebonius, consuls for the last three months of the year. We saw that the oration for Ligarius was pronounced *about* the first intercalary calends, and this speech followed soon after.

In December, he sent it, copied out, to Dolabella, accompanied with a letter, in which he mentions it in terms which bespeak unwonted modesty in the writer. “*Oratiunculam pro Deiotaro tibi misi, quam velim sic leges ut causam tenuem et inopem, nec scriptione magnopere dignam. Sed ego hospiti veteri et amico munusculum mittere volui levidense, crasso filo, cujusmodi ipsius solent essent munera.*” Sylvius, forgetting the dissembled vanity of Cicero’s exordium for Archias, “*Siquid est in me ingenii judices, quod sentio quam sit exiguum,*” can only account for the epithets ‘*tenuem et inopem*’ by the fact that Cicero gained *little* for his client. But this is not certain. Cæsar, indeed, made no immediate decision, but adjourned the cause till he should be able to examine into it fully on the spot. This, itself, was a victory to Deiotarus, and as the time never arrived, the king, on hearing of the death of Cæsar, seized upon his dominions, ‘*suo Marte* ;’ Phil. ii. 37 ; and subsequently supported the republican party, led on by Brutus and Cassius.

It is worth notice, that Brutus had already defended Deiotarus, before Cæsar, at Nice, a city of Liguria, where he met him on his return from Spain ; and had spoken in a tone of freedom and vehemence that gave Cæsar cause to reflect on the fierce and indomitable temper of Brutus. Att. xiv. 1.

M. TULLII CICERONIS
PRO
REGE DEIOTARO,
AD C. CÆSAREM,
ORATIO.

I. QUUM in omnibus causis gravioribus, C. Cæsar, initio dicendi commoveri solem¹ vehementius, quam videtur vel usus,² vel ætas mea³ postulare: tum⁴ in hac causa ita me multa perturbant, ut, quantum⁵ mea fides studii mihi affe-

SECT. I.—1. *Com. solem*] This is a common complaint of Cic. Cæcil. 13, he says, that with all his experience in pleading, when the day of trial comes—‘non solum commoveor animo, sed etiam toto corpore perhorresco.’ Cluent. 18. ‘Semper equidem magno cum metu incipio dicere;’ and he adds, ‘that he never pleads without feeling himself as it were on trial for his abilities and integrity—lest he might be chargeable with impudence, for undertaking what he could not perform; or with baseness or negligence, for not performing what he could.’

2. *Vel usus*] If we consider that Cicero, five-and-twenty years before this time, said of himself, (Cæcil. 13,) ‘ejusdem ætatis aut nemo aut pauci plures causas defenderint,’ we may have some notion of his *experience*.

3. *Ætas mea*] Sixty-two.

4. *Quum—soleam—tum*] ‘The subj. is joined with *quum*, followed by *tum*, when the two propositions are not merely distinguished from each other, but when that with *quum* is given under the form of a cause. So Arch. 4. Idque *quum* per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracleensibus impetravit. Also, Agr. iii. 3. This causal force of *quum* seems gradually to have been lost sight of.’ Zumpt c. 76. Hence, Manut. enumerates, among the *causes* of Cicero’s fears, his habit of feeling strongly, &c. Inf. n. 7.

5. *Quantum, &c.*] i.e. ‘Quantum studii, &c.’ ‘As much ardour of mind as a sense of duty [towards a client] inspires me with.’ The forcible meaning attached to ‘fides’ so used, may be inferred from its violation forming one in Virgil’s catalogue of crimes, ‘Fraus innexa clienti.’ Æn. vi. 609.

rat⁶ ad salutem regis Deiotari⁷ defendendam, tantum facultatis timor detrahat. Primum⁷ dico pro capite fortunisque⁸ regis: quod ipsum etsi non iniquum⁹ est in tuo dumtaxat periculo, tamen est ita inusitatum,¹⁰ regem capitis reum esse, ut ante hoc tempus non sit auditum. Deinde eum regem, quem ornare antea cuncto cum senatu¹¹ solebam, pro perpetuis ejus in nostram rempublicam meritis,¹² nunc contra atrocissimum crimen¹³ cogor defendere. Accedit, ut accusatorum alterius crudelitate,¹⁴ alterius indignitate¹⁵ con-

6. *Afferat*] Volenti, cum significatione benevolentiae; 'detrahat,' invito cum indicio doloris, dixit. *Manut.* Marcel. 4. Quantum operibus tuis diuturnitas *detrahet*, tantum *afferet* laudibus.

7. *Salutem regis Deiot.*] Every word is here emphatic. The safety not of a man, but of a king; not of a king, but of a king Deiotarus, whose services to the Roman empire have been so numerous. *Manut.*

7. *Primum*] Cic. adduces four causes to account for his fears. 1. His client being a king; 2. the cruelty of one accuser (the son-in-law); and meanness of the other (a slave); 3. the fact of the virtual plaintiff, Cæsar, being also judge; 4. the place where the trial was held, sc. the house of Cæsar. To which may be *prefixed* 'his habit of feeling strongly in all important causes' (n. 4).

8. *Pro capite fortunisque*] Here is no anti-climax; the sentence by which an offender 'capite minuitur,' did not of necessity deprive him also of his fortune. He might be only deprived of civil rights and exiled. *Abram.* and *V. E.* But v. 11. n. 2.

9. *Quod ipsum—iniquum*] 'And although this procedure is fair enough, at least (dumtaxat) where your danger is concerned.' Cic. feared to offend Cæsar, by urging too far the rarity of a royal culprit; which might reflect on his justice in admitting such a prosecution. The charge against Deiotarus affected Cæsar's safety. On 'dumtaxat,' vid. Mil.

2. n. 15.

10. *Est ita inusitatum*] This was too good a precedent not to be followed up. Thus Antony, (Plut. 36,) put to death Antigonus, king of Judæa, and bound Artaxes, king of Armenia with silver chains. Dio lib. 49. So Augustus had Phraates 'minor genibus,' (Hor. Ep. i. 12. 27,) not to mention Herod and his sons, who were often put on trial before Roman judges. Joseph. xvi. 7. 14.

11. *Ornare—cuncto—senatu*] So Harusp. 13. 'Hunc Deiotarum sæpe a senatu regali nomine dignum existimatum, clarissimorum imperatorum testimoniis, &c.' Phil. ii. 37. 'De rege Deiotaro, populo Rom. amicissimo.' Introd. 1.

12. *Perpetuis meritis*] Phil. xi. 13. 'Deiotari—cujus benevolentiam in populum Rom. est ipsius æqualis ætati; qui non solum socius imperatorum nostrorum in bellis, verum dux copiarum suarum, &c.'—Sylla, Murena, Servilius, Lucullus, and Pompey, had expressed in the senate their grateful acknowledgments for the important services of Deiotarus in the Asiatic wars.

13. *Atrociss. crimen*] Of having attempted Cæsar's life. Mil. 8. n. 10.

14. *Alterius crudelitate*] The second cause of his fear. The charge of cruelty is usually brought against prosecutors to prejudice the judges against them. So of Tubero (Ligar. 5,) he says 'nonne omnem humanitatem exuisses?' 'Alterius' here is Castor. Hence the emphatic 'cru-

turber. Crudelem Castorem, ne dicam sceleratum et impium!¹⁶ qui nepos avum in discrimen capitis adduxerit, adolescentiæque suæ terrorem¹⁷ intulerit ei, cujus senectutem tueri et tegere debebat, commendationemque ineuntis ætatis ab impietate at ab scelere duxerit; avi servum,¹⁸ corruptum præmiis, ad accusandum dominum impulerit et a legatorum pedibus abduxerit.¹⁹ Fugitivi²⁰ autem, dominum accusantis,²¹ et dominum absentem, et dominum amicissimum nostræ reipublicæ, quum os²² videbam, quum verba audiebam: non tam afflictam regiam conditionem²³ dolebam, quam de fortunis communibus²⁴ extimescebam. Nam, quum more majorem de servo²⁵ in dominum ne tormentis quidem²⁶ quæri liceat; in qua quæstione dolor veram vocem elicere²⁷ possit

delis Castor' following.

15. *Indignitate*] For Phidippus was a slave; and slaves were not allowed to give evidence against their masters. Mil. 22. n. 13.

16. *Sceleratum—impium*] Crudelitas in alienos; in propinquos proprie scelus et impietas est. *Manut.*

16. *Nepos*] His daughter's son.

17. *Adolescentiæ—terrorem, &c.*] For young men at Rome found it a ready way of gaining commendation, to accuse the magistrates, to whom, therefore, they were in some sort a terror. Off. ii. 14.

18. *Avi servum*] Phidippus the physician who had been sent to Rome by Deiotarus, on an embassy, to defend him against Castor's charge.—*Introd.* 3.

19. *Legatorum pedibus abduxerit*] Phidippus was seduced from the feet of the legates, his appropriate position as being a slave.

20. *Fugitivi*] Not only a runaway slave, but a slave that designs as much; a vagabond.

21. *Dominum accusantis*] To accuse a master is unjust; an absent master, more unjust; a master strongly attached to our republic, most unjust. Hence the consummate impudence (os) of Phidippus.

Manut.

22. *Os*] Impudence. So Verr. iv. 20. 'Nostis os hominis, nostis audaciam.' 'Verba' goes a step farther in audacity. It was bad enough for the wretch to show his face; but to speak was worse still.

23. *Afflictam—conditionem*] The wretched pass to which royalty is come.

24. *De fortunis communibus*] For who can be safe if slaves are permitted to turn informers? The usual artifice of Cic. to connect the issue of the question in hand with the general interests. Manil. 2. n. 12. Mil. 1. n. 20. Inf. 11. n. 3.

25. *De servo*] Mil. 22. n. 13.

26. *Ne tormentis quidem*] Not even is the involuntary (tormentis) evidence of a slave allowed against his master, much less the voluntary accusation (accuset solutus).

27. *Elicere*] (From 'lacio,' I entice.) 1. Entice out; 2. (without the idea of blandishment) extract, elicit.

28. *Exortus est*] Intimating the impudence of Phidippus—here starts up a slave. So speaking of Gyges, Off. iii. 9, rex exortus est Lydiæ. Ter. Hecyr. ii. 1. 16. Tu sola exorere,

etiam ab invito: exortus est²⁸ servus, qui, quem in eculeo appellare²⁹ non posset, eum accuset³⁰ solutus.

II. Perturbat me, C. Cæsar, etiam illud¹ interdum: quod tamen, quum te penitus recognovi,² timere desino; re enim iniquum³ est, sed tua sapientia fit æquissimum. Nam dicere apud eum de facinore, contra cujus vitam consilium facinoris inisse arguare,⁴ si per se ipsum consideres, grave est; nemo⁵ enim fere est, qui sui periculi iudex, non sibi se æquiores, quam reo præbeat: sed tua, C. Cæsar, præstans singularisque natura hunc mihi metum minuit. Non enim tam timeo, quid tu de rege Deiotaro, quam intelligo, quid de te ceteros velis judicare.⁶ Moveor etiam loci ipsius insolentia,⁶ quod tantam causam,⁷ quanta nulla unquam in disceptatione versata⁸ est, dico intra domesticos parietes, dico extra conventum et eam frequentiam, in qua oratorum studia niti⁹ solent: in tuis oculis, in tuo ore vultuque acquiesco;¹⁰ te

quæ perturbes hæc impudentia tua.

29. *Appellare*] A weak word for 'accusare';—name the name of. So Off. i. 25. Cavendum est, ne maiore poena iisdem de causis alii plectantur, alii ne appellentur quidem. For 'eculeus,' vid. Mil. 21. n. 21.

30. *Accuset*] Ern. not observing that 'exortus est' represents the action as just concluded, would read, 'accusaret.'

SECT. II.—1. *Illud*] This circumstance; sc. your being judge in your own case. The third cause of his fear.

2. *Penitus recognovi*] Thoroughly understood your justice, clemency, &c.

3. *Iniquum*] To be, at once, plaintiff and judge.

4. *Arguare*] i. e. 'Reus arguatur.' The second pers. is used thus, to give a lively, pointed turn to the sentence.

5. *Nemo*, &c.] This principle of self-love is proverbial. A. Gell. xii. 5. 'Natura omnium rerum ita nos genuit ut nihil quicquam esset carius nobis quam nosmetipsi.'—'Æquiores' does not mean 'ab-

stractly just,' but 'favourable, kind.'

6. *Quid—judicare*] Namely, that you are a friend of justice and humanity. By this praise of Cæsar he hints what Cæsar ought to be; particularly that it was foreign to his clemency to condemn in his own cause. Cæsar's anxiety to be thought mild and forgiving is noticed by Suet. c. 75.

6. *Loci—insolentia*] The fourth cause. Quint. iv. 1. Cicero's usual theatre was the forum; here the house of Cæsar, where there was no surrounding band (conventum) by which the orator is inspired to emulation. Mil. 1. n. 7.

7. *Tantam causam*] It concerned the life and fortunes of a king.

8. *Disceptatione versata*] Came on trial.

9. *In qua—niti*] The preposition is often omitted. But vid. Mil. 7. 'cujus in vita nitebatur.' Ern.—From signifying 'to depend upon,' it comes to mean 'to derive support and encouragement.' Hom. Il. ix. 441. Οὐδ' ἀγορεύων, ἵνα τ' ἄνδρες ἀριπρεπέες τελέθωσι.

10. *Acquiesco*] Valde quiesco, ob-

unum¹¹ intueor; ad te unum omnis mea spectat oratio. Quæ mihi ad spem obtinendæ veritatis¹² gravissima sunt,¹³ ad motum animi et ad omnem impetum dicendi contentionemque¹⁴ leviora. Hanc enim, C. Cæsar, causam si in foro dicerem, eodem audiente et disceptante te,¹⁵ quantam mihi alacritatem¹⁵ populi Romani concursus afferret! Quis enim civis ei regi non faveret, cujus omnem ætatem¹⁶ in populi Romani bellis consumptam esse meminisset? Spectarem curiam,¹⁷ intuerer forum, cælum denique testarer ipsum. Sic, quum et deorum immortalium, et populi Romani, et senatus¹⁷ beneficia in regem Deiotarum recorderar,¹⁸ nullo modo mihi deesse posset oratio.¹⁹ Quæ quoniam²⁰ angustiora parietes faciunt, actioque causæ²¹ maxime debilitatur loco; tuum est, Cæsar, qui pro

lector, fruitionem capio. *Sylv.*—*Arch.* 6. n. 4. *Mil.* 37. n. 10.

11. *Te unum, &c.*] In you, alone, have I my hopes reposed; there being no applauding crowd to look to.

12. *Obtinendæ veritatis*] i.e. Probandæ. So *Quint.* 23. Non ad obtinendum mendacium, sed ad verum probandum auctoritatem adjuvare.—But ‘veritas’ here is, of course, synonymous with ‘causa.’

13. *Gravissima sunt*] When the passions are excited in judges, they are easily turned from the truth.—*Quint.* v. 8. Hence at Athens all attempts to rouse the feelings were forbidden. Now, Cæsar being sole auditor, there was no hopes of inflaming his passions: therefore, what was most important in making good the truth, *Cic.* had; though it was of little weight in rousing the eloquence and ardour of the speaker.

14. *Contentionem*] *Cicero*, *Off.* ii. 14, says that oratory is two-fold, ‘sermo et contentio;’ and he adds that the latter, as being synonymous with eloquence, is the more efficient in procuring glory and fame.

15. *Disceptante te*] Disceptator, i.e. rei sententiæque moderator.—*Part. Orat.* 3. *Abram.* V. E.; a president or judge.

15. *Alacritatem*] What vigour and ardour of mind.

16. *Omnem ætatem*] He had assisted the Romans in the first Mithridatic war, in the time of Sylla, A. U. 666. It was now 708.

17. *Curiam*] Because it was contiguous to the forum where the cause should be pleaded. This, it would appear, (cælum testarer,) was ‘sub dio,’ like the Athenian ἡλιαστὰι.—*Cœl.* 28. *Val. Max.* viii. 1, who mentions a heavy rain falling on L. Piso, while receiving sentence. Also *Plin.* xix. 1, ‘Marcellus, Augusto xi. consule, velis forum innumbravit, quantum mutatis moribus Catonis censoris, quia sternendum muricibus censuerat.’

17. *Deorum—pop. Rom.—senatus*] These answer to ‘cælum—forum—curiam,’ and, as usual, are in the reverse order. *Ligar.* 11. n. 14. (*Si fraterne, &c.*)

18. *Recorderar*] For ‘commemorare;’ antecedens pro consequente. *Ern.*

19. *Deesse—oratio*] *Manil.* 1.—Oratio deesse nemini potest.

20. *Quæ quoniam*] And since the confining walls contract these advantages of the orator.

21. *Actioque causæ*] *Manil.* 1. n. 5.

multis sæpe dixisti,²² quid nunc mihi animi sit, ad te ipsum referre,²³ quo facilius tum æquitas tua, tum audiendi diligentia minuatur hanc perturbationem meam.

Sed antequam²⁴ de accusatione ipsa dico, de accusatorum²⁵ spe pauca dicam. Qui quum videantur neque ingenio,²⁶ neque usu atque exercitatione rerum²⁷ valere, tamen ad hanc causam non sine aliqua spe et cogitatione venerunt.

III. Iratum te regi¹ Deiotaro fuisse non erant nescii; affectum illum² quibusdam incommodis et detrimentis propter offensionem animi³ tui meminerant; teque quum huic iratum, tum sibi amicum⁴ cognoverant; quumque apud ipsum te de tuo periculo dicerent, fore putabant, ut in exulcerato⁵ animo facile fictum crimen insideret.⁶ Quamobrem hoc nos primum metu, C. Cæsar, per fidem et constantiam et clementiam⁷ tuam, libera, ne residere in te ullam partem iracundiæ suspicemur. Per dexteram⁸ te istam oro, quam regi Deiotaro hos-

22. *Qui pro multis sæpe dixisti]* Ligar. 10. *Causas egi multas et quidem tecum*, where vide note.

23. *Ad te ipsum referre]* To put yourself in my place, and give me the indulgence which you should then require. '*Ad conciliandum iudicis animum valet plurimum, ut animi nostri affectionem ipse suscipiat.*' *Sylv.*

24. *Antequam, &c.]* He wishes to remove any latent hatred which Cæsar might cherish against Deiotarus, as a Pompeian, before he proceeds to the charge itself.

25. *Accusatorum]* Castor and Phidippus. *Introd.* 3.

26. *Neque ingenio]* It is contrary to Cicero's usual practice to lower the character of his opponents; but here he does so to show their audacity in impeaching a king, and that they must rely for success on Cæsar's well-known prejudices against Deiotarus. *Sylv.*

27. *Exercitatione rerum]* Sc. *forensium.* *Schel. V. E.*

SECT. III.—1. *Iratum te regi]* Hence *Phil.* ii. 37. '*Quis cuiquam amicior quam Deiotaro Cæsar? æque ac huic ordini, &c.*'

2. *Affectum illum]* i. e. '*Illum (Deiotarum) affectum fuisse quibusdam, &c., meminerant.*' He does not say '*affecisti illum*' as being too harsh. Cæsar had deprived him of part of his tetrarchy and also of Armenia Minor, which he owed to Pompey. *Divin.* ii. 37. *Introd.* 3.

3. *Offensionem animi]* Owing to your displeasure.

4. *Sibi amicum]* Sc. to Castor, not to Phidippus who was a slave. *Manut.* Perhaps *they* may be extended to mean Castor and his party, e. g. *Saocondarius.*

5. *Exulcerato]* *Ira gravi percito.* *Sylv.* As Cæsar would be called on to negative this supposition, so it is a tacit exhortation to justice.

6. *Insideret]* So *Mil.* 26. '*Si tibi penitus inhæsisset illa suspicio,*' where al. *insidisset.*

7. *Fidem, constantiam, clementiam]* The grand requisites of a judge.—'*Iracundiæ,*' the former resentment of Cæsar against Deiotarus.

8. *Dexteram]* Numa, according to *Livy* (i.), instituted sacred rites to *Fides*; and considered its peculiar seat to be in the right hand. So *Plin.*

pes hospiti porrexisti:⁹ istam, inquam, dexteram, non tam in bellis, neque in prœliis, quam in promissis et fide firmiorem.¹⁰ Tu illius domum inire, tu vetus hospitium¹¹ renovare voluisti; te ejus dii penates acceperunt; te amicum et placatum Deiotari regis aræ focique¹² viderunt. Quum facile exorari, Cæsar, tum semel¹³ exorari soles. Nemo unquam te placavit inimicus, qui ullas resedissee in te simultatis¹⁴ reliquias senserit. Quamquam¹⁵ cui sunt inauditæ cum Deiotaro querelæ tuæ? Nunquam tu illum accusavisti, ut hostem, sed ut amicum officio parum functum, quod propensior in Cn. Pompeii amicitiam fuisset, quam in tuam. Cui tamen ipse rei¹⁶ veniam te daturum fuisse dicebas, si, quum auxilia Pompeio, vel etiam filium misisset, ipse excusatione ætatis usus esset. Ita quum maximis¹⁷ eum rebus liberares, perparvam amicitiae culpam¹⁸ relinquebas. Itaque non solum in eum non animadvertisti, sed omni metu liberavisti, hospitem agnovisti, regem¹⁹ reliquisti. Neque enim ille

ii. 37. *Abram.*

9. *Porrexisti*] When, in proceeding against Pharnaces, from the Alexandrian war, you partook of the hospitality of Deiotarus. *Introd.* 3.

10. *Non tam—firmiorem*] *Tam* is found in all MSS., and confirmed by Priscian, iii. p. 79. Supply, therefore, with Forcel. 'firmam' after *tam*. 'Not so steady in war, as doubly steady in the performance of promises.' Schutz however omits, and Matth. brackets it.

11. *Vetus hospitium*] Cæsar, not having served in the East, had never been the guest of Deiotarus, as Pompey and Cicero were; yet 'renovare' forbids us to understand it of the 'hospitium publicum,' mentioned Sext. 4. There may have been a hospitable friendship between Cæsar and Deiotarus, which Cæsar here voluntarily renewed.

12. *Aræ focique*] For the heathens had their religious rites, and kings had private altars in their palaces. *Delph.*

13. *Quum facile—tum semel*] Not only easily induced to forgive, but to

forgive heartily (semel, once for all.)

14. *Simultatis*] Of grudge or enmity.

15. *Quamquam, &c.*] 'Though why dwell on this. For by whom have your expostulations with Deiotarus been unheard? Every one knows the drift of them. You never accused him as an enemy, &c.'

16. *Cui tamen ipse rei*] Cæsar would have overlooked Deiotarus's sending aid to Pompey, or even sending his son to command them, had he, taking advantage of the pretext of old age (he was then above sixty) remained at home himself: but his being found in the field of Pharsalia, Cæsar thought, made the matter quite personal. [When Crassus, A. V. 700, went to Parthia, Deiotarus was extremely old. *Plut. Crass.* 17.]

17. *Maximis*] 'When you acquitted him of any serious crime;' i. e. in sending his son and auxiliaries to Pompey.

18. *Amicitiae culpam*] Deiotarus's was not only a very trifling fault, but it was the fault of friendship, not of enmity.

odio tui progressus,²⁰ sed errore communi²¹ lapsus est. Is rex, quem senatus hoc nomine sæpe honorificentissimis decretis appellavisset,²² quique illum ordinem ab adolescentia gravissimum sanctissimumque duxisset,²³ iisdem rebus est perturbatus,²⁴ homo longinquus²⁵ et alienigena, quibus nos in media republica nati semperque versati.

IV. Quum audiret, senatus consentientis auctoritate arma sumpta: consulibus, prætoribus, tribunis plebis, nobis¹ imperatoribus rempublicam defendendam datam:² movebatur animo,³ et vir huic imperio amicissimus de salute populi Romani extimescebat, in qua etiam suam inclusam videbat. In summo tamen timore quiescendum⁴ sibi esse arbitrabatur. Maxime vero perturbatus est, ut audivit, consules ex Italia profugisse, omnesque consulares,⁵ (sic enim nuntiabatur,)

19. *Regem*] For Cæsar left him his old kingdom of Gallogræcia, except the tetrarchy of the Trogini, but deprived him of the rest of his dominions.

20. *Progressus*] For he did not proceed to the war (ad bellum Sylv. through hatred of you, but was led astray by the general error, namely, of thinking that the Roman empire followed the consuls and senate, and was therefore in Pompey's camp.

21. *Errore communi*] Ligar. 6.—Alii errorem, alii timorem, alii spem, &c.

22. *Rex—appellavisset*] Supr. 1. n. 11.

23. *Duxisset*] Esteemed.

24. *Perturbatus*] Inf. 4. Maxime vero perturbatus est, ut audivit, consules ex Italia profugisse, &c.—This is the first excuse for Deiotarus's joining Pompey.

25. *Longinquus, &c.*] For if those who were born and living in the heart of the republic, yet mistook the true state party, a fortiori, might Deiotarus, a foreigner, living at a distance. 'Nati' refers to 'alienigena,' and 'versati' to 'longinquus.' So Mil. 28. 'In longinquos, in propinquos.'—Manil. 9. 'Nimia longinquitate lo-

corum.'

SECT. IV.—1. *Nobis*] Al. *novis*. But Cic. had just returned from Cilicia, and in expectation of a triumph, was now at the city, a regular 'imperator.' So ad Div. xvi. 11. 'Posteaquam senatus—nobis qui pro consules sumus negotium dederat ut, &c.'

2. *Consulibus—datam*] Cæs. B. Civ. i. 4, says that the usual decree, 'Dant operam consules, prætores, tribuni plebis, quique pro consulibus sunt ad urbem, ne quid respublica detrimenti capiat,' was made on the seventh of January, A. U. 705, in the consulship of L. Lentulus and C. Marcellus, which caused the friends of Cæsar to take refuge at Ravenna, where he then was. Vid. ad. Div. xvi. 11. Mil. 26. n. 14.

3. *Movebatur animo, &c.*] i. e. 'Vir amiciss. huic imp. movebatur animo et extimescebat, &c.'

4. *Quiescendum*] I thought it my duty to remain neutral. Ligar. 1. 'Adventu Variquievit.' Att. ix. 10.

5. *Omnes consulares*] Not all, for Cic. Ser. Sulpicius, and others remained. There is a similar exaggeration, Phil. ii. 22, where there is no ('sic enim nuntiabatur,') because

cunctum senatum, totam Italiam esse effusam.⁶ Talibus enim nuntiis et rumoribus patebat ad Orientem⁷ via, nec ulli veri subsequebantur. Nihil ille de conditionibus⁸ tuis, nihil de studio concordiae et pacis, nihil de conspiratione audiebat certorum hominum⁹ contra dignitatem tuam. Quæ quum ita essent, tamen usque eo se tenuit,¹⁰ quoad a Cn. Pompeio ad eum legati literæque venerunt. Ignosce,¹¹ ignosce, Cæsar, si ejus viri auctoritati rex Deiotarus cessit, quem nos omnes¹² secuti sumus; in quem quum dii atque homines omnia ornamenta conguessissent, tum tu ipse¹³ plurima et maxima.— Neque enim, si tuæ res gestæ ceterorum laudibus obscuritatem attulerunt, idcirco Cn. Pompeii memoriam amisimus.— Quantum nomen¹⁴ ejus fuerit, quantæ opes, quanta in omni genere bellorum gloria, quanti honores¹⁵ populi Romani, quanti senatus, quanti tui, quis ignorat? Tanto ille superiores vicerat gloria, quanto tu omnibus præstitisti. Itaque Cn. Pompeii bella, victorias, triumphos, consulatus, admirantes numerabamus: tuos enumerare non possumus.¹⁶

Cæsar was then no longer an object of flattery or fear.

6. *Esse effusam*] Were dispersed. For on hearing of the march of Cæsar towards the city, the optimates fled, and joined Pompey in Greece, Lucan. Pharsal. v. 30. Manut., however, supplies 'ad bellum contra te gerendum,' which does not suit the context.

7. *Ad Orientem*] i. e. to Asia, where Deiotarus was. 'Ulli veri,' sc. 'Rumores.'

8. *Conditionibus*] Pompey demanded that Cæsar should deliver his army and province to a successor, previously to his suing for a second consulship. Cæsar offered to disband his army if Pompey did the same. Ad. Div. xi. 28. De B. C. i. 8.

9. *Certorum hominum*] The consuls Lentulus and Marcellus, to whom may be added Domitius, Bibulus, Scipio, Cato, &c., who all, in their opposition to Cæsar, betrayed motives quite distinct from love of country.

10. *Se tenuit*] Namely, at home.

11. *Ignosce*] Pardon the man so circumstanced in regard of Pompey, who, from his high command in the republic, and his intercourse with Deiotarus in the Mithridatic war, had naturally great influence over him. The second excuse.

12. *Nos omnes*] Yet, nevertheless, have been pardoned.

13. *Tu ipse*] Cæsar and Pompey, united by the affection and prudence of Julia, and acting in the true spirit of their triumvirate, readily voted each other the highest offices and honours; but Julia may be also meant.

14. *Quantum nomen*] Vid. Introd. Manil. for some account of Pompey. Also, Balb. 9. Lucan. Phars. i. 135—'stat magni nominis umbra.'

15. *Quanti honores*] Sc. in eum collati fuerint. *Patric.*

16. *Tuos—non possumus*] This is moderate, compared with Marcel. i. 2. 'Nullius flumen ingenii, &c.'

V. Ad eum igitur¹ rex Deiotarus venit, hoc misero fatalique² bello, quem antea justis³ hostilibusque bellis⁴ adjuverat, quocum erat non hospitio⁵ solum, verum etiam familiaritate conjunctus: et venit⁶ vel rogatus, ut amicus; vel arcessitus, ut socius; vel evocatus,⁷ ut is, qui senatui parere didicisset: postremo venit, ut ad fugientem, non ut ad insequentem,⁸ id est, ad periculi, non ad victoriæ societatem. Itaque, Pharsalico prælio facto,⁹ a Pompeio discessit; spem infinitam¹⁰ persequi noluit; vel officio,¹¹ si quid debuerat, vel errori, si quid nescierat, satisfactum esse duxit; domum se contulit; teque Alexandrinum bellum¹² gerente, utilitatibus¹³ tuis pa-

SECT. V.—1. *Ad eum igitur*] The third excuse is drawn from *antecedent* circumstances. He had been the old ally, host, and friend of Pompey.

2. *Fatali*] The usual resource of Cicero, when guilt or imprudence seeks excuse. Ligar. 6. 'Fatalis quædam calamitas, &c.' Marcel 5. 'Fato nescio quo reip. misero funestoque.'

3. *Justis*] Decreed by the senate, e.g. the Mithridatic.

4. *Hostilibus. bellis*] In conflict with a foreign foe, in opposition to *civilibus*. For 'hostis' was anciently 'peregrinus.' The assistance alluded to here was afforded in the Mithrid. war, which Pompey terminated.

5. *Hospitio*] The friendship existing between those who were bound mutually to entertain one another.—They were known to each other by the 'tessera hospitalis,' and Jupiter Hospitalis was witness of the league. 'Familiaritas,' however, was a step higher, being a *habitus* of intimacy between dear friends. Off. ii. 8.—'Familiaritates—amantium nos amicorum.' Hom. ll. xvii. 150. ἄμα ζῆῖνον καὶ ἑταῖρον.

6. *Et venit, &c.*] The fourth excuse—from the *concomitant* circumstances.

7. *Evocatus*] 'Veterans, summoned again to take the field.' They were exempted from standing guard,

and from working in the lines, and only fought in the field with the general. Lips. i. 8. Fam. xv. 4; Suet. Aug. 10. As applied to Deiotarus, Abram. thinks that it implies that he attended, not so much to aid, as pay respect to Pompey.

8. *Insequentem*] i. e. Not to a victorious general but a retreating friend. For Pompey had fled from Italy. Therefore Deiotarus's conduct was perfectly disinterested.

9. *Pharsalico prælio facto*] The fifth excuse—from the *subsequent* conduct of Deiotarus. He immediately withdrew from the war, and henceforward assisted Cæsar. Plut., however, says that he escaped in the same vessel as Pompey. Perhaps he landed at Cyprus, and proceeded thence to Galatia.

10. *Spem infinitam*] A vague hope of renewing the war.

11. *Officio*] Which he owed to Pompey; 'errori,' in thinking that the whole republic was attached to the Pompeian cause.

12. *Alexandrinum bel.*] Wherein Cæsar restored Cleopatra to the throne of Egypt, and conquered Ptolemy. Liv. Epit. cxii.

13. *Utilitatibus*] These are enumerated inf. His aiding Domitius, sending money (most probably) to Sextus Cæsar, frequently auctioning his goods to raise supplies, &c.

ruit. Ille exercitum Cn. Domitii,¹⁴ amplissimi viri, suis tectis et copiis sustentavit; ille Ephesum ad eum,¹⁵ quem tu ex tuis fidelissimum et probatissimum omnibus delegisti, pecuniam misit; ille iterum, ille tertio, auctionibus factis,¹⁶ pecuniam dedit, qua ad bellum uterere; ille corpus suum periculo objecit, tecumque in acie contra Pharnacem¹⁷ fuit, tuumque hostem esse duxit suum.¹⁸ Quæ quidem a te in eam partem accepta sunt, C. Cæsar, ut eum amplissimo regis honore et nomine affeceris.

Is igitur,¹⁹ non modo a te periculo liberatus, sed etiam honore amplissimo ornatus, arguitur domi te suæ interficere voluisse. Quod tu,²⁰ nisi eum furiosissimum judicas, suspicari profecto non potes. Ut enim omittam,²¹ cujus tanti²² sceleris fuerit, in conspectu deorum penatium²³ necare hospitem; cujus tantæ importunitatis,²⁴ omnium gentium atque omnis memoriæ clarissimum lumen²⁵ extinguere; cujus tantæ ferocitatis, victorem orbis terrarum non extimescere; cujus tam inhumani et ingrati animi, a quo rex appellatus

14. *Cn. Domitius*] Introd.

15. *Ad eum*] To Q. Fufius Calenus, says Cælius Secundus; but Abram. suggests Sextus Cæsar, the præfect of Syria, Dio. lib. xlvii., as Calenus was then governor of Achaia.

16. *Auctionibus factis*] Deiotarus several times auctioned the furniture of his palace to raise supplies for Cæsar; first in the Alexandrian war; again in the Pontic war; lastly in the African war.

17. *In acie contra Pharnacem*] Introd.

18. *Tuum—suum*] Nay, Pharnaces was more the enemy of Deiotarus than Cæsar. Introd. 2. The expression is found in Mil. 32. 'Cæsaris potentiam, suam potentiam ducebat.'

19. *Is igitur*] The state of the question or case is: the man whom you relieved from every apprehension of danger, and honoured most highly, is accused of wishing to assassinate you at his house. This is sufficiently improbable, as he proceeds to show.

20. *Quod tu*] The first proof of

improbability deduced from the personal character of Deiotarus. It would argue downright madness in the most prudent of men.

21. *Ut omittam*] He enumerates, by pretending to omit, five marks of improbability: the reverence due to the tutelary gods, the dignity of Cæsar, his fortune, the favours he had bestowed on Deiotarus, the gratitude of Deiotarus, and lastly, his danger if he had attempted Cæsar's life.

22. *Cujus tantæ*] 'Cujus,' from 'quis,' not 'qui;' of what so, &c.

23. *Conspectu—penatium*] Hor. Carm. ii. 13. 6.—penetralia Sparsisse nocturno cruore Hospitis.

24. *Importunitatis*] 1. Unseasonableness; and so Manut. would understand it here. 'Alienissimo tempore extinguere, &c.' But it is rather 2. Barbarity, wickedness.—Verr. v. 54. Ex tuo scelere, importunitate, crudelitate.

25. *Lumen*] Cæsar. Mil. 12. Lumen curiæ.

esset, in eo tyrannum inveniri :²⁶ ut hæc omittam, cujus tanti furoris fuit, omnes reges, quorum multi erant finitimi,²⁷ omnes liberos populos,²⁸ omnes socios, omnes provincias, omnia denique omnium arma contra se unum excitare? Quonam ille modo cum regno, cum domo, cum conjuge, cum carissimo filio distractus²⁹ esset, tanto scelere non modo perfecto,³⁰ sed etiam cogitato?

VI. At, credo,¹ hæc homo inconsultus et temerarius non videbat.—Quis consideratio illo? Quis tectior?² quis prudentior? Quamquam³ hoc loco Deiotarum non tam ingenio et prudentia, quam fide et religione vitæ defendendum puto. Nota tibi est, C. Cæsar, hominis probitas, noti mores, nota constantia.⁴ Cui porro,⁵ qui modo populi Romani nomen audivit, Deiotari integritas, gravitas, virtus, fides non audita est? Quod igitur⁶ facinus nec in hominem imprudentem cadere posset, propter metum præsentis exitii, nec in facinorosum, nisi esset idem amentissimus, id vos et a viro optimo et ab homine minime stulto⁷ cogitatum esse confingitis. At

26. *Tyrannum inveniri*] To be discovered a *despot* over the man that named you a *king*.

27. *Multi finitimi*] Abram. enumerates Sadalus, king of Thrace, Cotys, Rascipolis, Ariobarzanes, Mithridates Pergamenus. Many of these were the beneficiaries of Cæsar, and might reasonably have been expected to avenge his death.

28. *Liberos populos*] The republican states yet found in the Roman empire.

29. *Distractus*] Torn to pieces with his kingdom, family, &c. So Græv. 'discerptus.' Sull. 20. 'Membra divellere ac distrahere.' 'Distractus—cum' is interpreted, 'torn from.' 'Cum Cleanthe dissidet.' Acad. iv. 17.

30. *Non modo perfecto*] I do not say perpetrated, &c.

SECT. VI.—1. *Credo*] An objection. All that you have mentioned as improbable in Deiotarus, becomes easy if he is a rash and inconsiderate man. But 'quis consideratio illo?'

2. *Quis tectior*] Al. *rectior*. Ern. brackets, Weiske omits, these words as spurious; but they are not to be interpreted in an unfavourable sense; perhaps a metaphor taken from the gladiatorial art. Orel.

3. *Quamquam*] The usual 'correction,' (Mil. 2. n. 18,) which shows *tectior* to be the true reading supr. Deiot. was a prudent, wary man; but he was more—he was an honest man.

4. *Probitas—mores—constantia*] A man may be *honest* yet rough in his *manners*; he may possess honesty and courtesy, yet want *firmness*. Deiot. united them all. Manut.

5. *Cui porro*] Nay, farther; a correction of the preceding sentence—I said that Deiotarus's virtues were known to you; nay, the whole world has heard of them.

6. *Quod igitur*] He draws the conclusion from the acknowledged probity and prudence of Deiotarus.

7. *Minime stulto*] i. e. Sapientissimo. Cluent. 26. 'Minime avarus

quam non modo non credibiliter, sed ne suspiciose⁸ quidem : Quum, inquit,⁹ in castellum¹⁰ Luceium venisses, et domum regis, hospitis tui, devertisses, locus erat quidam, in quo erant ea composita, quibus rex te munerare¹¹ constituerat. Huc¹² te e balneo,¹³ priusquam accumberes, ducere volebat. Erant enim armati, qui te interficerent, in eo ipso loco collocati. En crimen, en causa, cur regem fugitivus, dominum servus accuset. Ego mehercule,¹⁴ C. Cæsar, initio, quum est ad me¹⁵ ista causa delata, Phidippum medicum, servum regium, qui cum legatis missus esset, ab isto¹⁶ adolescente esse corruptum, suspicione sum percussus : medicum, indicem subornavit;¹⁷ finget videlicet aliquod crimen veneni. Etsi a veritate longe, tamen a consuetudine criminandi non multum res abhorrebat. Quid ait medicus?¹⁸ Nihil de

is visus est, &c.' *Manut.* Similarly, by a species of litotes, we say, 'he is no fool.'

8. *Suspiciose*] i. e. Place the charges on one side, the life of Deiotarus on the other—and, so far from their being in them grounds for probability, there are none even for suspicion. This he proceeds to prove.

9. *Inquit*] Sc. the accuser.

10. *Castellum*] This diminutive of 'castrum,' is—a fort raised in a territory, to defend it against the incursions of an enemy; or on its borders, to guard the passes; or lastly, it formed a part of the regular encampment itself. As, owing to the security which these 'castella' afforded, towns were often built near them, we need not wonder at so many names of towns in Britain retaining traces of connexion with them.—Chester and Chelsea, we may suppose, were κατ' ἐξοχὴν, the 'castrum' and 'castellum' of the Romans. In this case, Deiot. had a palace in the vicinity of Luceium, in which Cæsar was first entertained. For it appears (c. 7,) that it was not until the following day that Cæsar reached this castle, where he was again entertained; yet here Cic. says

'Luceium venisses, et domum regis devertisses.' This can only be cleared by supposing the 'castle' in the neighbourhood of the palace, and *Manut.* says 'Oppidi pars munitior a Deiotari domo sejuncta.'

11. *Munerare*] More frequently deponent. The Roman generals were usually presented with costly gifts from the eastern kings and allies.

12. *Huc*] The place where the gifts were displayed. Inf. 'eo ipso loco.'

13. *E balneo*] For the bath before dinner was Roman etiquette. *Vatin.* 13. 'Cui de balneis exeunti, toga pulla data est?'

14. *Ego mehercule, &c.*] The first circumstance connected with the charge, and which shows its improbability is, that a physician was privy to the secret, yet that the sword was preferred to poison.

15. *Quum est ad me*] When Deiotarus's embassy intruded the defence to me.

16. *Ab isto*] Castore. 'Isto,' here, intimates contempt.

17. *Subornavit*] Al. *subornabit.*—but he imagines the action past to intimate its greater certainty.

18. *Medicus*] Emphatic in op-

veneno. At id fieri potuit primo occultius in potione, vel in cibo: deinde¹⁹ etiam impunius fit, quod, quum est factum, negari potest.²⁰ Si palam te interemisset;²¹ omnium in se gentium non solum odia, sed etiam arma convertisset: si veneno; Jovis illius quidem hospitalis²² numen nunquam celare potuisset, homines fortasse celavisset. Quod igitur et occultius conari, et efficere cautius potuit; id tibi,²³ et medico callido, et servo, ut putabat, fideli, non credidit: de armis, de ferro, de insidiis celare te noluit²⁴. At quam festive²⁵ crimen contexitur! Tua te, inquit,²⁶ eadem, quæ semper, fortuna²⁷ servavit. Negavisti tum te inspicere²⁸ velle.

VII. Quid postea? an Deiotarus, re illo tempore non perfecta,¹ continuo dimisit exercitum?² nullus erat alius insidiandi locus? At eodem te, quum cœnavisses, redituruum dixeras: itaque fecisti.³ Horam unam aut duas eodem loco armatos, ut collocati fuerant, retinere magnum⁴ fuit? Quum

position to 'veneno.'

19. *Primo—deinde*] The two advantages of the bowl; 'it is more secret and has more impunity.'

20. *Quod—negari potest*] Al. *quicquid negari potest*.

21. *Interemisset*] *Inter* often signifies the completion of the action to which it is joined; so 'interminari, inferire, interficere.'

22. *Hospitalis*] *ἑνυσ*. *Æn.* i. 735. 'Jupiter, hospitibus nam te dare jura loquuntur.' He was so worshipped for turning Lycaon, who had slain his guests, into a wolf.

23. *Id tibi*] Phidippo. Very likely, forsooth, that Deiotarus, who was not trusted in the way of his profession—poison, should be privy to arms, swords, and an ambush. *Hor. Sat.* ii. 1. 52.

24. *Celare te noluit*] i. e. Did not conceal from you the more difficult and dangerous, yet would not intrust the easier and safer road.

25. *At quam festive*] Similarly; inf. 'At quam acute collecta crimina!' 'Contexitur,' like the Greek *ὑφαίνω*. We say 'trumped up a story or

charge.'

26. *Inquit*] The accuser.

27. *Fortuna*] e.g. The surrender, by Cassius, of eighty ships to Cæsar, at the Hellespont.

28. *Inspicere*] Sc. the gifts prepared for Cæsar by the king.

SECT. VII.—1. *Re perfecta*] Similarly *Phil.* ii. 11, *Rem—confecisset*, i. e. 'occidisset.' *Abram*.

2. *Dimisit exercitum*] The pompous words of Thraso in *Terent. Eun.* iv. 6, to his gang of slaves, when dismissing them after an unsuccessful project, here are perhaps imitated, 'jam dimitto exercitum.' It must have produced a ludicrous effect to address a few hired bravos by the dignified appellation of 'exercitus;' and therefore tended to 'dilute' the charge by setting it in a ridiculous point of view.

3. *Itaque fecisti*] i. e. 'Et ita fecisti;' and you did return thither after supper.

4. *Magnum*] A mighty matter. *Mil.* 15. n. 16. *Abram.* quotes *Hom.* *Il.* v. 303. *μέγα ἔργον*; also *xi.* 733, and elsewhere. But it does not bear

in convivio comiter⁵ et jucunde fuisses, tum illuc isti,⁶ ut dixeras. Quo in loco Deiotarum talem erga te cognovisti, qualis rex Attalus⁷ in P. Africanum fuit: cui magnificentissima dona, ut scriptum legimus, usque ad Numantiam⁸ misit ex Asia; quæ Africanus, inspectante exercitu, accepit. Quod quum præsens Deiotarus, regio⁹ et animo et more, fecisset; tu in cubiculum discessisti. Obsecro, Cæsar, repete temporis illius memoriam, pone illum ante oculos diem, vultus¹⁰ hominum te intuentium¹¹ atque admirantium recordare! Num quæ trepidatio? num qui tumultus? num quid, nisi moderate, nisi quiete, nisi ex hominis gravissimi et sanctissimi disciplina?¹² Quid igitur causæ excogitari potest, cur te lotum¹³ voluerit, cœnatum noluerit occidere? In posterum, inquit, diem¹⁴ distulit, ut, quum in castellum Lucceium ventum esset, ibi cogitata perficeret. Non video causam loci mutandi:¹⁵ sed tamen acta res criminose est.

in these passages the ironical sense in which Cic. used it.

5. *Comiter*] Perhaps, 'acceptus' may be understood; or rather, 'comiter,' for 'comis.' So in Greek *ἐχει καλῶς*. Besides signifying, 'courtteously,' 'comiter,' is varied in Livy, xxxviii. 11, (where he introduces a formula, found also Balb. 16,) by 'sine malo dolo.'

6. *Illuc isti*] You proceeded to the place where the gifts were.

7. *Attalus*] A 'lapsus memoriæ,' for 'Antiochus.' Liv. Epit. 57. 'Scipio amplissima munera, missa sibi ab Antiocho rege Syriæ pro tribunali accepturum se ipse dixit.' This was Africanus Minor. Mil. 3. n. 11.

8. *Numantiam*] Where Scipio was then commanding; 'in Asia,' where Deiot. reigned. Manil. 20. n. 6.

9. *Regio*] βασιλικῶς, i. e. splendidly. When Alexander was asked how Porus should be treated he replied βασιλικῶς; and affirmed that every thing due to him was contained in that single word. Plut. Alex. 60.

10. *Vultus*] Qui sermo quidam tacitus mentis est. Pis. 1.—Mil. 23, Cic. appeals to the 'looks' of Milo in proof of his innocence; 'qui vul-

tus, quæ oratio.'

11. *Intuentium*] So Manil. 14. Sicut aliquem de cœlo delapsum intuentur. These 'gazers' were collected to see Cæsar receiving the presents of Deiotarus.

12. *Disciplina*] Every thing was in keeping with a well regulated family, and none of that hurry and disturbance inseparable from the execution of guilty enterprises.

13. *Lotum*] i. e. Lavatum vel lautum. Supr. 6. 'E balneo priusquam accumberes.' Att. xiii. ep. ult. speaking of Cæsar: 'Post horam octavam in balneum.'

14. *In posterum diem*] Supr. 6. n. 10. This proves that the 'castle' and palace were distinct, as supr. 6, it appeared they were contiguous.

15. *Loci mutandi*] Either, of the supposed conspirators changing the place of their operations, which is the more probable sense, or, as Manut., of Cæsar himself changing his abode. Cic. does not see the reason for such a change, because in fact there was none; but nevertheless the accusers 'made it the subject of the gravest charges.' 'Criminose' is explained by the following words, which con-

Quum, inquit, vomere¹⁶ te post cœnam velle dixisses, in balneum te ducere cœperunt.¹⁶ Ibi enim erant insidiæ. At te eadem tua illa fortuna servavit: in cubiculum te ire malle dixisti. Dii te perduint,¹⁷ fugitive! ita non modo nequam et improbus, sed etiam fatuus et amens¹⁸ es. Quid? ille signa ænea¹⁹ in insidiis posuerat, quæ e balneo in cubiculum transferri non possent? Habes²⁰ crimina insidiarum. Nihil enim dixit amplius. Horum, inquit, eram conscius.²¹ Quid tum? ita demens ille erat, ut eum, quem conscium tanti sceleris habebat, a se dimitteret? Romam etiam mitteret, ubi et inimicissimum sciret esse nepotem suum, et C. Cæsarem, cui fecisset²² insidias? præsertim quum is unus esset, qui posset de absente se indicare?²³ Et fratres meos,²⁴ inquit, quod erant conscii, in vincula coniecit. Quum igitur eos vinciret, quos secum habebat; te

taining a fresh charge of conspiracy to assassinate, Cic. proceeds to show its improbability and folly.

16. *Vomere*] i. e. *ἔμεναι* vagare, as he calls it, Att. xiii. 52. This disgusting practice did not argue Cæsar a drunkard; for Sueton. Jul. 55. says, 'Vini parcissimum ne inimici quidem negaverunt.' It was rather a sort of compliment to Deiot., intimating that he intended to pass the evening cheerfully with him. Seneca, alluding to this custom, says 'they vomit that they may eat, and eat that they may vomit.' (Consol. ad Helv. 9.) Vid. also Sueton. Vitel. 12. and Midd. life of Cic. c. vii.

16. *Cæperunt*] Sc. Deiotarus's agents.

17. *Perduint*] The ancient form for 'perdant.' The formula is one of imprecation, and generally bestowed on accusers or witnesses who may have evinced great want of probity. It is often found in the comic poets. Terent. Phorm. iv. 4.

18. *Fatuus et amens*] Because 'acta res criminose;'—it was altogether an improbable charge.

19. *Signa ænea*] Was it bronze statues, and not armed men, that he had placed in ambush?

20. *Habes, &c.*] There are the charges for you; and you may judge of their importance!

21. *Horum — conscius*] Phidippus conceived that evidence of his privity should establish the credit of all that he had said. Cic. denies that Deiot. would in that case have trusted Phidippus to visit Rome, where Castor his hostile grandson was, and also the much-injured Cæsar.

22. *Cui fecisset*] i. e. According to their account.

23. *Indicare*] When he (Phidippus) was the only person who could inform upon him in his absence. 'Absente;' for had Deiot. been at Rome, he might have prevented Phidippus from informing Cæsar. Al. *vindicare*, referring 'is unus esset qui,' to Cæsar.

24. *Fratres meos*] 'You say that I was the only one who could give information on Deiotarus.' I reply that there were others, e. g. my brothers who have been imprisoned because they were privy to the plot.' Then rejoins Cic., did Deiot. imprison those persons whom he had under his own eye, and send you to Rome unbound, to carry with you the same dangerous secret?'

solutum Romam mittebat, qui eadem scires, quæ illos scire dicis?

VIII. Reliqua pars¹ accusationis duplex fuit: una, regem semper in speculis² fuisse, quum a te animo esset³ alieno; altera, exercitum eum contra te magnum comparasse. De exercitu dicam breviter, ut cetera. Nunquam⁴ eas copias rex Deiotarus habuit, quibus inferre bellum populo Romano posset; sed quibus fines suos ab excursionibus hostium et latrociniiis tueretur, et imperatoribus nostris auxilia mitteret. Atque antea⁵ quidem majores copias alere poterat: nunc exiguas⁶ vix tueri potest. At misit ad Cæcili-um⁷ nescio quem: sed eos, quos misit, quod ire noluerunt, in vincula coniecit. Non quæro, quam veri simile sit, aut non habuisse regem, quos mitteret, aut eos, quos misisset, non paruisse; aut, qui dicto audientes in tanta

SECT. VIII.—1. *Reliqua pars*] The first part of the charge was the attempted assassination of Cæsar; the rest of it argued only disaffection towards him; 1. in attending too much to unfavourable rumours about Cæsar; 2. in levying a large army against him. The latter point, (with which he connects the charge of holding a correspondence with one Cæcilius a Pompeian, as also of supplying Cæsar with inferior cavalry,) he answers first in the remainder of this section.

2. *Speculis*] ‘Speculum’ in quo specimus imaginem; ‘specula’ de qua prospicimus. Varr. v. 8. ‘Esse in speculis,’ to be on the watch, to observe. Verr. ii. 16. Nunc homines in speculis sunt: observant, &c. Cic. explains it fully himself, inf. c. 9. ‘Eo tempore mittebat qui rumores Africanos exciperent, et ad se referrent.’

3. *Quum esset*] ‘Sum’ having no present part. ‘quum esset’ supplies its place.

4. *Nunquam*] Not even in the zenith of his prosperity before the civil war. ‘Eas—quibus,’ i. e. ‘tales—ut.’ Hence the subj. ‘posset.’

5. *Antea*] Sc. before Cæsar depriving him of part of his dominions. When Cic. was proconsul of Cili-

cia Deiot. brought to his assistance thirty cohorts of infantry, and two thousand cavalry. Att. vi. 1.

6. *Exiguas*] Absolutely ‘small or trifling;’ but ‘parvas’ relatively so. Hence its propriety here. ‘Tueri’ properly ‘to maintain in safety’ as ‘tueretur,’ preceding; often, as here, ‘to maintain.’ So Phil. ii. 25. ‘domus quam nunc male tuetur.’

7. *Cæcilius*] Q. Cæcilius Bassus, a Pompeian noticed, ad Div. xii. 18. and Liv. Epit. cxxvii. The latter says ‘Bellum in Syria Cæcilius Bassus eques Rom. Pompeianarum partium excitavit, et relicto a legione Sexto Cæsare, quæ ad Bassum transierat, occisoque.’ Cic. to suit his purpose speaks of him here contemptuously, but Phil. xi. 13. he says ‘Est Q. Cæcilii Bassi, privati illius quidem, sed fortis et præclari viri robustus et victor exercitus.’ To him however Deiot. was accused of sending forces, and of imprisoning those who refused to go. To this Cic. answers: 1. that it is *improbable* the king had any to send; 2. *improbable* that they should refuse to go; 3. *improbable* that if they did refuse, the punishment was not death,

re⁸ non fuissent, eos vinctos potius, quam necatos [fuisse]. Sed tamen quum ad Cæcilium mittebat, utrum⁸ causam illam victam esse nesciebat, an Cæcilium istum, magnum hominem putabat? quem profecto is, qui⁹ optime nostros homines novit, vel quia nosset, vel quia non nosset, contemneret. Addidit etiam¹⁰ illud, equites non optimos misisse. Veteres,¹¹ credo, Cæsar: nihil ad tuum equitatum: sed misit ex iis, quos habuit, electos. Ait nescio quem ex eo numero servum¹² iudicatum. Non arbitror; non audiui. Sed in eo, etiam si accidisset, culpam regis nullam fuisse arbitrarer.

IX. Alieno autem¹ a te animo fuit. Quomodo? Speravit, credo,² difficiles tibi Alexandriae fore exitus, propter regionis naturam et fluminis.³ At eo ipso tempore pecuniam

8. *In tanta re*] Namely waging war against Cæsar.

8. *Utrum, &c.*] When Deiot. sent troops to Cæcilius, he must either have been ignorant that the Pompeian cause was ruined (*causam illam victam*,) or have conceived Cæcilius an important man; neither of which is at all likely. Therefore he did not send them.

9. *Is qui, &c.*] Deiot. who, as possessing an accurate knowledge of every Roman, must despise Cæcilius. For if he knows him, he despises his insignificance; if he does not, he despises him for not attracting his notice. Similarly, Phil. ii. 7. 'O miser, sive illa tibi nota non sunt, sive sunt;' and c. 22. 'O miserum si intelligis, miseriorem si non intelligis.'

10. *Addidit etiam*] Namely, the accuser; and 'misisse' against *Phar-naces*.

11. *Veteres*] Not 'veterans,' but 'his old ones,' i. e. the troops which Cæsar had had at Alexandria, and which were trained in Roman discipline; still they were nothing in comparison of Cæsar's. So de Orat. ii. 6. 'nihil ad Persium;' nothing in comparison of Persius.

12. *Servum*] For slaves were not allowed to serve, particularly in ca-

valry. Cic. did not believe the charge; at least if true it must have arisen from necessity, as in exigencies even slaves were enrolled. The construction is: 'nescio quem iudicatum fuisse servum.'

SECT. IX.—1. *Alieno autem*] The former *secondary* charge, which he now proceeds to answer.

2. *Speravit, credo*] Had Deiot. been disaffected towards Cæsar, finding him beset with difficulties in Alexandria, he would have neglected to lend him assistance. The reverse was the fact. 'Credo' is ironical; 'he hoped, forsooth, that you should never extricate yourself;' i. e. he hoped no such thing—as his conduct proved.

3. *Regionis — fluminis*] This alludes no doubt to the island of Pharos, opposite to which Alexandria was built on the western channel of the Nile (*fluminis*.) The difficult nature of the approach to Alexandria is noticed by many authors. Polyhist. c. 45. 'Alexandria insidioso accessu aditur, fallacibus vadis, cæco mari, &c.' Similarly Plin. v. 32. Ammianus calls them 'fallaces et insidiosos accessus.' Of course the 'exitus' would be as difficult. The dangers which Cæsar encountered there are noticed by Suet-

dedit,⁴ exercitum⁵ aluit; ei, quem Asiæ præfeceras, nulla in re defuit; tibi victori,⁶ non solum ad hospitium, sed ad periculum etiam atque ad aciem præsto fuit. Secutum est bellum Africanum.⁷ Graves de te rumores⁸ sparsi, qui etiam furiosum illum Cæcilium⁹ excitaverunt. Quo tum erga te rex animo fuit?¹⁰ qui auctionatus sit, seseque exspoliare maluerit, quam tibi pecuniam non subministrare. At eo, inquit, tempore¹¹ ipso Nicæam¹² Ephesumque¹³ mittebat, qui rumores Africanos exciperent,¹⁴ et celeriter ad se referrent. Itaque quum esset ei nuntiatum, Domitium¹⁵ naufragio periisse, te in castello¹⁶ circumsideri: de Domitio dixit

on. Jul. 64, by Florus, Dio, and others.

4. *Pecuniam dedit*] He had said Supr. 5. 'Utilitatibus tuis paruit.'

5. *Exercitum*] Of Domitius Calvinus 'quem Asiæ præfeceras.' So Hist. B. Alex. 25. 'Cn. Domitium Calvinum—cui Cæsar Asiam finitimasque provincias administrandas transdiderat.' Introd. 2.

6. *Victori*] In Egypt. Introd. 2. Deiot. not only entertained Cæsar, but accompanied him against Pharnaces, bringing along his 'Roman' legion and all his cavalry. B. Alex. 67.

7. *Bellum Africanum*] Cæsar after his speedy conquest of Pontus, delaying only a few days in Italy, proceeded to Africa, where Scipio and Cato, assisted by king Juba, had hoisted the standard of the republic.

8. *Graves rumores*] The republican forces had gained some slight advantages in Africa, which being exaggerated by their friends into a report that Cæsar was killed, gave a colour to Cæcilius and others to renew the war in Syria.

9. *Furiosum Cæcilium*] Supr. 8. n. 7.

10. *Quo—rex animo fuit*] A triumphant argument of his friendly feelings towards Cæsar, The 'graves rumores' had no other effect on Deiot. than to quicken his benevolence. His very furniture was put to the hammer and the proceeds remitted to Cæsar.

As 'auctionor' is depon. 'bona, suppellectilem' or the like is understood.

11. *At eo tempore*] Cic. had instanced the sacrifices of Deiot. The accuser shews that these were the effect of fear, because at that very time, Deiot. was collecting every idle rumour to Cæsar's disadvantage. As Cic. could not deny this, he fixed on an improbable circumstance in the charge, and against it directs the shafts of his eloquence.

12. *Nicæam*] Nice was the capital of Bithynia, situated on the lake Ascanius. It was remarkable as being the town where the first general council was held, A. D. 325. Hence the 'Niccene' creed.

13. *Ephesum*] A city of Asia Minor, remarkable for populousness. Plin. v. 25. calls it 'lumen Asiæ.' It and Nicæa being maritime towns, were likely to have the earliest intelligence from Africa.

14. *Qui rumores exciperent*] Hence the accusation, supr. 8. 'regem in speculis fuisse.'

15. *Domitium*] Sc. Calvinum. After the defeat of Pharnaces, Domitius stayed a short time to arrange the affairs of Asia and then followed Cæsar to Africa. It was reported that he was lost on the voyage thither.

16. *Te in castello*] Rather, 'in his camp,' at least that was suggested. Hist. B. Afric. 19. &c.

versum Græcum eadem sententia, qua etiam nos habemus Latnum:

“Pereant amici,¹⁷ dum una inimici intercidant:”

quod ille,¹⁸ si esset tibi inimicissimus, nunquam tamen dixisset. Ipse enim mansuetus; versus immanis. Qui autem Domitio poterat esse amicus, qui tibi esset inimicus?¹⁹ Tibi porro inimicus²⁰ cur esset, a quo, quum vel interfici, belli lege,²¹ potuisset, regem et se et filium²² suum constitutos esse meminisset? Quid deinde? furcifer²³ quo progreditur? ait, hac lætitia²⁴ Deiotarum elatum vino se obruisse, in convivioque nudum saltavisse.²⁵ Quæ crux²⁶ huic fugitivo potest satis supplicii afferre? Deiotarum saltantem quisquam, aut ebrium vidit unquam? Omnes sunt in illo rege regię virtutes; quod te, Cæsar, ignorare non arbitror; sed præcipue singularis et admiranda frugalitas.²⁷ Etsi hoc verbo scio laudari reges non solere. Frugi hominem²⁸ dici, non multum

17. *Pereant, amici, &c.*] Ἐπὶ ῥέτω φίλος σὺν ἐχθρῷ. Plut. De Discr. Am. et Adul. The Latin poet from whom the verse is taken is not known.

18. *Quod ille*] He shows that Deiotarus's disposition forbade the idea of his repeating so unfeeling a verse. But this is very doubtful, as it is stated by Plutarch that he was cruel to his children—and by Strabo, that he put to death his daughter and her husband, Saocoudarius.

19. *Amicus—inimicus*] For the king's application of the verse was, ‘Pereat Domitius dum una Cæsar intercidat.’ Cic. shows that the double character of friend to Domitius and enemy to Cæsar was a contradiction; therefore he could not have uttered the verse.

20. *Tibi inimicus*] And again, the verse assumed that Cæsar was ‘inimicus Deiotaro;’ but this could not be, as Deiotarus was the recipient of innumerable favours from Cæsar.

21. *Belli lege*] As fighting against him in Pharsalia.

22. *Regem et se et filium*] Hence inf. c. 14. ‘Propone tibi duos reges.’

23. *Furcifer*] Phidippus, who as being a fugitive slave, was liable to the punishment of carrying on his neck a ‘furca,’ or species of cross.

24. *Hac lætitia*] Namely, at hearing of Cæsar's disasters.

25. *Nudum saltavisse*] Pis. 10. ‘quum ipse nudus in convivio saltaret.’ Muren. 7. ‘Nemo fere saltat sobrius, nisi forte insanit, neque in convivio moderato et honesto.’ Hence appears the infamy attached by the Romans to dancing.

26. *Quæ crux*] ‘Cruz’ is a punishment proper to slaves. Lips. de Cruce, i. 12.

27. *Frugalitas*] He adds, ‘admiranda,’ sc. in a king. It here includes temperance, and therefore negatives the charge of ebriety. Tusc. Quæst. iii. 16. ‘Haud scio an recte ea virtus—σωφροσύνη—appellari possit.’ Again, ‘Frugalitas, ut opinor, a fruge: qua nihil melius a terra oritur.’

28. *Frugi hominem*] ‘Frugi’ is the usual epithet of a slave. Hor. Sat. ii. 7. ‘Mancipium domino et frugi.’ So Fam. v. 6. Decius libarius Sextii, homo frugi? Donat. says, ‘frugi, utilis et necessarius, a

habet laudis in rege : fortem,²⁹ justum, severum, gravem, magnanimum, largum, beneficum, liberalem ; hæ sunt regiae laudes : illa privata³⁰ est. Ut volet, quisque accipiat : ego tamen frugalitatem, id est, modestiam et temperantiam, virtutem esse maximam judico. Hæc in illo est ab ineunte ætate,³¹ tum a cuncta Asia,³² tum a magistratibus³³ legatisque nostris, tum ab equitibus Romanis,³⁴ qui in Asia negotiati sunt, perspecta et cognita. Multis ille quidem gradibus officiorum³⁵ erga rempublicam nostram ad hoc regium nomen ascendit : sed tamen quidquid a bellis populi Romani vacabat,³⁶ cum hominibus nostris consuetudines, amicitias,³⁷ res rationesque jungebat : ut non solum tetrarcha³⁸ nobilis, sed optimus paterfamilias,³⁹ et diligentissimus agricola⁴⁰ et

frugibus, quæ quod his fruamur, dictæ sunt.'

29. *Fortem, &c.*] 'Fortem' in facing dangers ; 'justum' in giving every man his own ; 'severum' in being swayed neither by prayers nor bribes from rectitude ; 'gravem' in maintaining equanimity of temper, neither elated too much by prosperity, nor depressed by adversity ; 'magnanimum' in looking with disdain on all the petty greatness of common men ; 'largum' in exhibiting bountiful liberality ; 'beneficum' in doing good for its own sake, and 'liberalem' in bestowing with a noble and generous spirit.

30. *Illâ privata*] Frugality is the virtue of the subject ; the former *κατ' ἐξοχήν* of the king ; and to obviate any mistake, he defines it by 'modestiam, et temperantiam.' Tusc. iii. 8. Manut. thinks Cicero insincere in this praise, and that he calls the cause 'tenuem et inopem,' in allusion to this stinginess. Introd. 6.

31. *Hæc—ab ineunte ætate*] He reasons thus : Deiotarus was engaged, from his youth up, in performing all the public and private duties of a monarch. Such persons are not likely to disgrace their old age by dancing. Therefore, neither did Deiotarus.

32. *Cuncta Asia*] Asia Minor, comprising Phrygia, Mysia, Caria, Lydia. Manil. Introd. 4.

33. *Magistratibus*] From the consul to the quæstor.

34. *Equitibus Rom.*] Who farmed the public revenues. Also, perhaps, merchants trading on their private account. Manil. 12. n. 17.

35. *Gradibus officiorum*] Similarly Milo, 35. Hanc denique esse, cujus gradibus homines in cælum videantur ascendere.

36. *Quidquid—vacabat*] Whatever leisure he had, he spent in forming connexions, &c. 'Quidquid' here refers to time.

37. *Consuet. amicit.*] Refer these words to 'magistratibus legatisque,' supr., and 'res rationesque' to 'equitibus Romanis.'

38. *Tetrarcha*] Mil. 28. n. 8.

39. *Paterfamilias*] 'A master of slaves ; the father of a family. 'This relative differs from 'pater' in not necessarily implying the having of children. It often, as here, imports 'a careful person, an economist.'—Quint. 3.

40. *Agricola*] Among royal 'farmers,' Pliny enumerates Hiero, Philometor, Attalus, Archelaus. As long as virtue is respected in a nation, so long will the pursuit of husbandry

pecuarius⁴¹ haberetur. Qui igitur⁴² adolescens, nondum tanta gloria præditus, nihil unquam, nisi severissime et gravissime, fecerit; is ea existimatione, eaque ætate saltavit?

X. Imitari potius, Castor,¹ avi tui mores disciplinamque debebas, quam optimo et clarissimo viro fugitivi ore² maledicere. Quod si saltatorem avum³ habuisses, neque eum virum, unde pudoris pudicitiaque⁴ exempla peterentur, tamen hoc maledictum minime in illam ætatem⁵ conveniret. Quibus ille studiis ab ineunte ætate se imbuerat, non saltandi,⁶ sed bene ut armis, optime ut equis uteretur;⁷ ea tamen illum cuncta jam, ætate exacta,⁸ defecerant. Itaque Deiotarum quum plures in equum sustulissent, quod hæere in eo⁹ senex

be so too. Cic. Senect. 59. 'Nihil tam regale videri quam studium agri colendi.'

41. *Pecuarius*] A grazier; also a farmer of the public pastures. Manil. 6. n. 14. The antiquity and respectability of the 'shepherd' is evidenced by the 'SHEPHERD KINGS'—by the epithets of *πολυμήλος*, *πολυβέτης*, &c., applied by the ancient poets to the most illustrious characters, and by the transference of the very name of shepherd to the highest office known among men—*ποιμένες λαῶν*. Vid. Varr. de Re R. ii. 1. Abram. in loc.

42. *Qui igitur, &c.*] The conclusion of his argument; in which 'adolescens' is opposed to 'ea ætate,' i. e. old age; 'nondum tanta gloria præditus' to 'ea existimatione,' and 'severissime, &c. fecerit' to 'saltavit;' where the first and second in each are, it will be observed, in an inverted order, not the third. Ligar. 11. n. 14. Similarly, Fam. xi. 98. An quod adolescens præstiti, quum etiam errare cum excusatione possem, id nunc ætate præcipitata commutem, ac me ipse retexam?

SECT. X.—1. *Imitari Castor*] Cicero, Rabir. Post. 1, says that it is almost a gift of nature, for people to

follow up the praise and glory of their family; not so Castor.

2. *Fugitivi ore*] Phidippus's.

3. *Saltatorem avum*] If your grandfather had been a professor of dancing, which he was not, yet ought his years to have exempted him from this railing accusation. For even his laudable pursuits, his military exercise, and horsemanship, are given over; much less is he fitted for dancing.

4. *Pudoris pudicitiaque*] Modesty and chastity. Impudens ab animo, impudicus a corpore laborat. Cat. ii. 11. Ex hac parte pugnat pudor, illinc petulantia; hinc pudicitia, illinc stuprum. Phil. ii. 7.

5. *Illam ætatem*] Patric. notes that 'illam' here does not signify a remote age of Deiotarus, but the age of Deiotarus remote from Rome.

6. *Saltandi*] i. e. 'Saltaret' as 'uteretur' following.

7. *Equis uteretur*] Horsemanship was the first branch of a princely education.

8. *Jam, ætate exacta*] Tusc. Quæst. i. 3. Eorum qui exacta ætate moriuntur, fortuna laudatur. Eight years before, when Deiotarus assisted Crassus, he was an old man, and Dio Cass. calls him *ὑπεργήροντα*, when he aided Brutus. Supr. 13. n. 16.

posset, admirari solebamus.¹⁰ Hic vero adolescens,¹¹ qui meus in Cilicia miles, in Græcia commilito fuit, quum in illo nostro exercitu equitaret cum suis delectis equitibus, quos una cum eo ad Pompeium pater¹² miserat, quos concursus¹³ facere solebat! quam se jactare! quam ostentare! quam nemini in illa causa¹⁴ studio et cupiditate concedere! Quum vero, exercitu amisso,¹⁵ ego, qui pacis auctor¹⁶ semper, post Pharsalicum autem prælium suasor fuissem armorum non deponendorum,¹⁶ sed abjiciendorum, hunc ad meam auctoritatem¹⁷ non potui adducere, quod et ipse ardebat studio ipsius belli, et patri satisfaciendum esse arbitrabatur. Felix ista domus,¹⁸ quæ non impunitatem solum adepta sit, sed etiam accusandi licentiam: calamitosus Deiotarus, qui ab eo, qui in iisdem castris fuerit, non modo apud te, sed etiam a suis accusetur!¹⁹ Vos vestra²⁰ secunda fortuna, Castor, non potestis sine propinquorum calamitate esse contenti?

9. *Hære in eo*] Hor. Carm.: iii. 24.

— Nescit equo rudis

Hære ingenuus puer.

10. *Admirari solebamus*] This, probably, occurred in Pompey's camp before the battle of Pharsalia.

11. *Adolescens*] Castor was in Cicero's army in Cilicia, and in Pompey's, in Greece. Therefore his accomplishments were well known to Cic.

12. *Pater*] Saocondarius, whom Cic. keeps before Cæsar's mind, as being once as great a foe as Deiotarus.

13. *Quos concursus*] What crowds were collected to look at him! Cic. designedly leaves their motive in collecting dubious, but the following words sufficiently show that it was to ridicule him.

14. *Nemini in illa causa*] As Cic. mentioned the father, so he takes care to set forth the alacrity of the young Pompeian, of which he had himself been witness.

15. *Exercitu amisso*] Pompey had about 15,000 men killed, and 24,000 taken prisoners. Bel. C. iii. 81.

16. *Pacis auctor*] Ligar. 9. n. 18.

16. *Non deponendorum*] For that

they should have been before the war; 'abjiciendorum,' without making any terms. The latter shows his eagerness to terminate the civil war. He uses the same word in writing to Marcellus.

17. *Ad meam auctoritatem*] As Cic. could not prevail on Castor to desist from war, owing to his military ardour, and his wish to satisfy his father, we may infer that both father and son were determined foes of Cæsar.

18. *Felix ista domus*] Cic. compares the fortunes of the two families, in order to excite odium against the one, and pity towards the other. They were both in Pharsalia. Mark the consequence. Castor is not only restored to Cæsar's favour, but permitted to accuse others. Deiotarus is allowed to be arraigned by one who was in Pharsalia as well as he—who is his own grandson, and before Cæsar, at once the injured party and the judge.

19. *Qui ab eo—accusetur*] Non modo should be transposed and placed after *qui*. Orel.

20. *Vos vestra*] i. e. Castor and his father.

XI. Sint sane¹ inimicitiae, quæ esse non debebant.—Rex enim¹ Deiotarus vestram familiam abjectam et obscuram e tenebris in lucem evocavit. Quis tuum patrem ante, qui esset, quam cujus gener esset, audivit? Sed quamvis ingrate et impie necessitudinis nomen repudiavit, tamen inimicitias hominum more² gerere poteratis, non ficto crimine insectari, non expetere vitam, non capitis³ arcessere. Esto:³ concedatur hæc quoque acerbitatis et odii magnitudo. Adeone,⁴ ut omnia vitæ salutisque communis atque etiam humanitatis jura violentur? Servum sollicitare verbis, spe promissisque corrumpere, abducere domum,⁵ contra dominum armare: hoc est, non uni propinquo,⁶ sed omnibus familiis nefarium bellum indicere. Nam ista corruptela servi, si non modo impunita fuerit, sed etiam a tanta auctoritate⁷ approbata: nulli parietes nostram salutem, nullæ⁸ leges, nulla jura custodient. Ubi enim id, quod in-

SECT. XI.—1. *Sint sane, &c.*] Admit the existence of enmity between the families—which gratitude and piety forbid—still you might have entertained it like human beings, and not be thirsting for blood like savage beasts.

1. *Rex enim*] Refer 'enim' to 'non debebant.' Deiot. had raised his son-in-law to honour and distinction. A grateful return he met with! 'Ingrate' alludes to the favour, 'impie' to the tie of relationship.

2. *Hominum more*] i. e. Not to prefer false charges; not to seek to take away the life, &c.

2. *Capitis*] It is not easy to see how Deiotarus's life could be endangered by any judicial decision of Cæsar. Accordingly, 'pro capite,' supr. 1, was explained by 'diminutione capitis;' and, indeed, 'causa capitis' was applied to any civil action, where, beside the loss of fortune, character was at stake. Quint. 9. 13. Off. i. 12. It is easily conceivable, however, that Cæsar could teach the man convicted of attempting his life, that it should not

be done with impunity.

3. *Esto*] It might be supposed that Cic. having convicted Castor of *ingratitude* and *impiety*, should be obliged to stop there, as crimes so heinous, hardly admitted of amplification. But here his art appears in seeming to concede all this as trivial, that he may charge Castor with attempting to shake the foundations of human society, and to declare war against mankind. Similarly, supr. 1, 'non tam afflictam regiam conditionem—quum de fortunis communibus extimescebam.'

4. *Adeone*] Supply 'concedi debet.' *Patric.*

5. *Abducere domum*] i. e. To entice Phidippus from the legates of Deiotarus to his house. Supr. 1.—Æn.x. 79,—abducere pactas.

6. *Uni propinquo*] Deiotaro.

7. *Tanta auctoritate*] Sc. Cæsar's. Such is Cæsar's authority, that *approbation* is implied in *impunity* being permitted.

8. *Nulli—nullæ*] Similar repetitions for emphasis are frequent. Phil. ii. 22. Tu, tu istas faces incendisti, Antoni.

tus⁹ est atque nostrum, impune evolare potest, contraque nos pugnare; fit in dominatu¹⁰ servitus, in servitute dominatus. O tempora,¹¹ O mores! Cn. Domitius¹² ille, quem nos pueri consulem, censorem, pontificem maximum vidimus, quum tribunus plebis M. Scaurum,¹³ principem civitatis, in iudicium populi¹⁴ vocasset, Scaurique servus ad eum clam¹⁵ domum venisset, et crimina in dominum delaturum se esse dixisset: prehendi hominem jussit, ad Scaurumque deduci. Vide, quid intersit; etsi inique Castorem cum Domitio comparo:¹⁶ sed tamen ille inimico servum remisit: tu¹⁶ ab avo abduxisti: ille incorruptum audire noluit; tu corrupisti: ille adiutorem¹⁷ servum contra dominum repudiavit; tu etiam accusatorem adhibuisti. At semel¹⁸ iste est corruptus

9. *Id quod intus*] Namely, the slaves who reside in our families.

10. *Fit in dominatu, &c.*] It makes a slave of the master, a master of the slave.

11. *O tempora*] How changed! 'O mores' how unlike what they were! He proves both by comparing Domitius and Castor.

12. *Cn. Domitius*] The father of L. Domitius Ænobarbus, who fell in Pharsalia. Phil. ii. 11. Scaurus had refused to choose him among the augurs. He, therefore, in return, accused Scaurus of not duly attending to the worship of the Penates. Plut. (de Adul. et Am.) reverses the names in this transaction; but Val. Max. vi. 5, corroborates Cicero's statement, and adds 'quem populus tum propter alias virtutes, tum hoc nomine libentius et coss. et censorem et pont. max. fecit.' He was consul A. U. 657; and censor with L. Crassus, the orator. Perhaps he owed his popularity no less to a law by which he gave the people a voice in the election of priests. Agr. ii. 7.

13. *M. Scaurum*] Sc. Æmilius. Arch. 3. n. 25. He varies the title of 'princeps senatus,' which the censors had six times conferred on him, by saying 'princeps civitatis.'

14. *Judicium populi*] These trials

were at first held in the Comitia curiata, Mil. 3. n. 9.; afterwards in the Comitia centuriata and tributa. In the former, the superior magistrates were generally the accusers, in the latter the inferior, among whom the tribunes ranked; so that Domitius being now tribune, this cause was tried before the comitia by tribes. Hence the account of Ascon. 'that Scaurus was acquitted by a majority of nine-and-twenty tribes.'

15. *Clam*] By night.

16. *Etsi inique—comparo*] For Domitius was a man of character and honour, not so Castor. So Pis. 4, comparing Metellus Celer and Piso, he says, 'facio injuriam fortissimo viro mortuo, qui illum—cum hac importuna bellua conferam.'

16. *Ille—tu*] This species of ornament from antithesis is common. Verr. iv. 52. 'Conferte hanc pacem cum illo bello; hujus prætoris adventum cum illius imperatoris victoria; hujus libidinis cum illius continentia, &c.' M. Marcellus and Verres are the persons compared. Also, Dem. de Cor. 80.

17. *Ille adiutorem*] He rejected the services of the slave; you not only accepted them, but made him an accuser.

18. *At semel*] The MSS. here appear uniform, but Weiske suspects

a vobis? Nonne, quum esset productus, et quum tecum fuisset, refugit ad legatos? Nonne etiam ad hunc Cn. Domitium¹⁹ venit? Nonne, audiente hoc Ser. Sulpicio,²⁰ clarissimo viro, qui tum casu apud Domitium cœnabat, et hoc T. Torquato,²¹ optimo adolescente, se a te corruptum, tuis promissis in fraudem²² impulsus esse confessus est?

XII. Quæ est ista tam impudens, tam crudelis, tam immoderata inhumanitas? Idcirco in hanc urbem venisti,¹ ut hujus urbis jura et exempla corrumperes, domesticaque² immanitate nostræ civitatis humanitatem inquires?

At quam acute collecta³ crimina! Blesamius,⁴ inquit, (ejus enim nomine, viri optimi, nec tibi ignoti, maledicebat⁵ tibi,) ad regem scribere solebat,⁶ te in invidia esse;

some mistake, and would correct the text. This seems unnecessary. The imputation on Castor is this; that after Phidippus had received his first bribe, and given his testimony, he acknowledged before respectable witnesses that it was false, and that he had been corrupted. But he now persists in the same tale. The inference drawn by Cicero is, that the bribe must have been repeated. V. E.

19. *Hunc Cn. Domitium*] Cæsar, it is probable had an audience of his officers around him, among whom might be Domitius Calvinus, or perhaps the younger Ænobarbus, mentioned Phil. ii. 11, who was afterwards a conspirator.

20. *Ser. Sulpicio*] Whose eulogium forms the subject of the ninth Philippic, which see. He and Torquatus were present, as 'hoc' intimates. So infr. 14, 'huic Blesamio,' Arch. 9, 'Hujus proavus Cato,' and Ligar. 3. 'hoc C. Pansa.'

21. *T. Torquato*] One of the Manilian family, perhaps the Titus mentioned Planc. 11.

22. *Fraudem*] i. e. Vitium. Mil. Boni nullo emolumento *impelluntur in fraudem*. Phil. 11. Nihil queror de Dolabella qui tum est *impulsus*, inductus, elusus.

SECT. XII.—1. *Idcirco venisti*] Hac ad accusatorem ἀποστροφῇ nihil efficacius. *Manut.*

2. *Domestica*] Asiatic and barbarous.

3. *Acute collecta*] Ironically, for Castor's charges were rather an invective against the tyranny of Cæsar than an injurious accusation of Deiotarus. 'Collecta,' composita et conficta ut nihil sit quod pugnet. Sylv. Ligar. 10. n. 13.

4. *Blesamius*] With Hieras and Antigonus formed the embassy sent by Deiotarus to plead his cause before Cæsar. Inf. 15. Him the accusers pretended to be a spy.

5. *Maledicebat*] Sc. Phidippus did; by repeating slanders of his own invention as if uttered by Blesamius. The slanders were, 1. That Cæsar was disliked by the people and considered a tyrant; 2. that the placing of his statue in the capitol among those of the ancient kings of Rome had given general offence. 3. That he was not applauded at the public games and theatre.

6. *Scribere solebat*] Namely from Rome; for it would appear that the embassy had reached Rome from the king some time before the trial came on.

tyrannum existimari; statua⁷ inter reges posita animos hominum vehementer offensos; plaudī tibi non solere. Nonne intelligis, Cæsar, ex urbanis malevolorum sermunculis⁸ hæc ab istis esse collecta? Blesamius tyrannum Cæsarem scriberet? Multorum enim civium capita⁹ viderat; multos jussu Cæsaris vexatos, verberatos, necatos, multas afflictas et eversas domos, armatis militibus refertum forum.¹⁰ Quæ semper in civili victoria sensimus,¹¹ ea te victore non vidimus. Solus, solus, inquam, es, C. Cæsar, cujus in victoria ceciderit nemo, nisi armatus.¹² Et quem nos liberi, in summa populi Romani libertate nati, non modo non tyrannum, sed etiam clementissimum in victoria ducimus: is Blesamio, qui vivit in regno,¹³ tyrannus videri potest? Nam de statua quis queritur, una præsertim, quum tam multas videat?¹⁴ Valde enim¹⁵ invidendum est ejus statuis, cujus tropæis non invidemus! Nam, si locus¹⁶ affert invidiam, nullus locus est, ad statuam quidem, Rostris

7. *Statua*] This statue is noticed by Sueton. Jul. 80, and had in fact given public offence. 'Prægravant cætera facta statuam inter reges, suggestum in orchestra, et ampliora humano fastigio decerni sibi passus est.'

8. *Sermunculis*] Mere rumours; from 'sermo,' as 'homo, homunculus.'

9. *Multorum—capita*] Nempe sine corporibus. From this description of what a tyrant's acts would be we are to infer that Cæsar was not a tyrant. 'Enim' refers to a supposed proposition 'haud mirum' or the like. 'Well may Blesamius write, that Cæsar is a tyrant, for, &c.'

10. *Armatis—forum*] For Appian, lib. ii. says that Cæsar removed from his person the prætorian cohorts which during the war had attended him as guards, satisfied with the civic attendants; and Vell. Pater. ii. 57. that when warned to guard an empire by arms, which arms had acquired, he replied that he preferred death to living in dread of it.

11. *Semper sensimus*] Under Ma-

rius, Cinna, Sylla.

12. *Cujus—armatus*] Ligar. 6.

13. *Qui vivit in regno*] i. e. Who is the subject of a despotic monarch; opposed to 'nos liberi.'

14. *Tam multas videat*] These were not to be seen in the capitol, for only those of the kings and of Jun. Brutus stood there, but throughout the city, and particularly in the forum, which being a much more conspicuous (clarior) place than where the royal statues were placed, ought to excite odium still more, if odium there were. The forum was the usual place for the statues of great men to be set up.

15. *Valde enim*] Supply here as above; 'No wonder there should be complaints about it, for, &c.' The turn is ironical, i. e. he means 'non valde invidendum est.' 'Tropæa' were more conspicuous still than statues. Arch. 9. n. 14.

16. *Nam si locus, &c.*] 'Nam' is here 'deinde.' 'Again if the place, &c.' In the Rostra particularly were the statues of the legates killed by the Fidenates. Liv. iv. 17. Phil. ix. 2.

clarior. De plausu¹⁷ autem quid respondeam? qui nec desideratus unquam a te est, et nonnunquam, obstupefactis hominibus, ipsa admiratione compressus est, et fortasse eo prætermisus, quia nihil vulgare te dignum videri potest.

XIII. Nihil a me arbitr¹ prætermisum, sed aliquid ad extremam causæ partem² reservatum. Id autem aliquid³ est, te ut plane Deiotaro reconciliet oratio mea. Non enim jam metuo,⁴ ne tu illi succenseas: illud vereor, ne tibi illum succensere⁵ aliquid suspicere. Quod abest longissime, mihi credé, Cæsar. Quid enim retineat⁶ per te, meminit, non quid amiserit;⁷ neque se a te multatum ar-

17. *Plausu*] His answer is threefold: 1. You never courted popular applause; therefore no wonder if it is not bestowed. 2. Men's minds were so astounded by your exploits that they were incapable of raising their voice. 3. The people omitted it because it was trite and unworthy of you.

SECT. XIII.—1. *Nihil a me arbitr*] Before so consummate a rhetorician as Cæsar, it was useless to have recourse to the ordinary rules, one of which is to conceal every appearance of art. Cic. therefore affects to make a display of art to conceal it more effectually.

2. *Extremam — partem*] The peroration, the fittest place for discussing the most important point.

3. *Id—aliquid*] Ligar. 7. n. 29. Cic. wishing to reconcile the parties has first to shew that there is no cause for resentment on either side. With regard to Cæsar he assumes that what he has urged is enough to allay his angry feelings 'non metuo ne tu illi succenseas'; it remained to shew that he had no grounds to suspect that any such were harboured by Deiotarus. His reasons are: 1. Deiot. is sensible that what he lost he deserved to lose, nay that Cæsar was compelled to make the vanquished assist him in removing his brave associates, and to this no reasonable man could object.

And if Antiochus the Great bore similar treatment with equanimity, much more should a petty sovereign like him. Besides he had the support derivable from the consciousness of suffering for an involuntary error, not so Antiochus. 2. He owed to Cæsar's generosity what he retained, his hereditary dominions, and regal title; which latter was to him every thing. 3. He had two sources of consolation left, of which he could not be deprived. The decrees of the Roman generals and senate in his favour, and the consciousness of his own virtue, (*Multa se arbitratur, &c.*) [These he illustrates to 'Hæc ille reputans.'] 4. He has a letter from Cæsar himself encouraging him to hope for the best, c. 14. by which he was greatly cheered and inspired. All this shews that Deiot. is fully sensible of his obligations to Cæsar, and is therefore deserving of being received into his friendship.

4. *Non jam metuo*] Trusting in your faith, your steadiness, and clemency. Supr. 3.

5. *Tibi illum succensere*] On account of losing so much of his dominions.

6. *Quid retineat*] His life, name of king, and part of Galatia. Introd. 3.

7. *Quid amiserit*] Armenia and the tetrarchy of the Trogiani.

bitratur; sed, quum existimaret, multis tibi multa⁸ esse tribuenda, quo minus a se, qui in altera parte⁹ fuisset, ea sumeres, non recusavit. Etenim si Antiochus Magnus¹⁰ ille, rex Asiæ, quum, posteaquam a Scipione¹¹ devictus, Tauro¹² regnare jussus esset, omnemque hanc Asiam, quæ est nunc nostra provincia,¹³ amisisset, dicere est solitus, benigne sibi a populo Romano esse factum, quod nimis magna procuratione¹⁴ liberatus, modicis regni terminis uteretur: potest multo facilius se Deiotarus consolari. Ille enim furoris multam sustinuerat:¹⁵ hic erroris. Omnia tu Deiotaro, Cæsar, tribuisti, quum et ipsi et filio¹⁶ nomen regium concessisti. Hoc nomine retento atque conservato, nullum judicium de se senatus imminutum putat. Magno animo et erecto est, nec unquam succumbet inimicis, ne fortunæ quidem.¹⁷ Multa se arbitratur et peperisse ante factis, et habere in animo atque virtute, quæ nullo modo possit amittere. Quæ enim fortuna, aut quis casus, aut quæ tanta possit injuria omnium imperatorum¹⁸ de Deiotaro decreta delere? Ab omnibus enim iis ornatus est, qui, posteaquam in castris esse potuit per ætatem,¹⁹ in Asia,²⁰ Cap-

8. *Multis tibi multa, &c.*] Sylv. understands this to mean that, 'many Pompeians were called on to contribute much to Cæsar;' in which view few will concur. Dio. relates that fourteen new prætors, and fifteen quæstors, were appointed, and the senators increased to nine hundred.

9. *Qui in altera parte*] 'Altera' is milder than 'contraria.' *Patric.*

10. *Antiochus Magnus*] Manil. 6. n. 2. Sext. 27.

11. *Scipione*] L. Scipio Asiaticus, the brother of Africanus Major, who was his lieutenant in this war.

12. *Tauro tenus*] Sext. 27. 'Intra montem Taurum,' i. e. he was deprived of all his dominions on the Roman side of Mount Taurus.

13. *Asiam—nunc provincia*] Manil. 2. n. 6.

14. *Nimis magna procur.*] The care of too extensive dominions. Sall. Jug. 14. 'Regni Numidiæ procurationem existimarem meam.' If Antiochus so consoled himself for such losses, a

fortiori may Deiotarus; for the one madly attacked the Roman people at the instigation of Hannibal and the Ætolians, the latter followed Pompey, as deeming his cause the better. Deiot. therefore has innocence on his side. Ovid seems to decide differently as to the consolation: 'Quæ venit indignæ poena, dolenda veit,' Ep. v. 8; and so will people in general.

15. *Multam sustinuerat*] So pro Dom. 38. 'Eandem (pœnam) ego subibo et sustinebo.'

16. *Et filio*] He is mentioned, Phil. xi. 13. 'Summa in filio spes, summa ingenii indoles, summa virtus.'

17. *Ne fortunæ quidem*] Much harder to contest with, than 'inimici;' yet inasmuch as he possesses many things over which she has no control, the decrees of your generals, the votes of the senate, he is able to defy her power.

18. *Omnium imper.*] Introd. 1.

19. *Per ætatem*] Seventeen.

20. *In Asia*] Sylla and Lucullus

padocia, Ponto, Cilicia, Syria, bella gesserunt: senatus vero iudicia de illo tam multa, tamque honorifica, quæ publicis populi Romani literis monumentisque²¹ consignata sunt, quæ unquam vetustas obruet, aut quæ tanta delebit oblivio? Quid de virtute ejus dicam? quid de magnitudine animi, gravitate, constantia? quæ omnes docti²³ atque sapientes summa, quidam etiam sola bona esse dixerunt, hisque,²⁴ non modo ad bene, sed etiam ad beate vivendum, contentam virtutem esse. Hæc ille reputans et dies noctesque cogitans, non modo tibi non succenset, (esset enim non solum ingratus, sed etiam amens,) verum omnem tranquillitatem et quietem senectutis acceptam refert²⁵ clementiæ tuæ.

XIV. Quo quidem animo¹ quum antea fuit, tum non dubito, quin tuis literis, quarum exemplum legi, quas ad eum Tarracone² huic Blesamio³ dedisti, se magis etiam erexerit,⁴ ab omnique sollicitudine abstraxerit. Jubes enim eum bene sperare et bono esse animo: quod scio, te non frustra scribere solere. Memini enim iisdem fere verbis⁴ ad me te scribere, meque tuis literis bene sperare non frustra esse jussum.

were assisted by him in nearly all these provinces; Murena in Cappadocia, Pontus, and Phrygia; in Syria, Bibulus; in Cilicia, Cicero and Servilius Isauricus.

21. *Literis monumentisque*] Ligar.

2. n. 12.

22. *Vetustas obruet*] Mil. 35. 'Nulla unquam obmueret vetustas.' Temporis vetustas, hominum oblivio. Manut.

23. *Omnes docti*] Plato, Aristotle, and others, divided *good* into pleasure, utility, and virtue; and called virtue *chief*, in comparison of the others; but the Stoics denying that any thing had a right to come into comparison with virtue, declared it the *sole good*. The Epicureans Plato did not hold to be 'sapientes.' Marcel. 6. 'Non modo summa bona sed etiam audebo sola dicere.'

24. *Hisque*] i.e. Who held the 'sola;' or Stoics. 'Non modo ad bene,' for this they all confess; 'sed etiam

ad beate' i.e. 'jucunde et feliciter,' and this the Peripatetics deny.—Tusc. quæst. lib. v.

25. *Acceptam refert*] Sets down to the account of your clemency.

SECT. XIV.—1. *Quo animo*] As supr. 13, 'magno et erecto'—a mind fortified by reflecting on what fortune had left as well as taken away, and on its own virtues.

2. *Tarracone*] Tarraco, a city of Spain, situate in the Mediterranean, now Taragona. It was the capital of Tarraconensis, and in it Cæsar held all his levées after the subjugation of the Pompeys.

3. *Huic Blesamio*] Who is now present, waiting the issue of this trial. Cic. here intends to remind Cæsar of his promise.

4. *Eraxerit*] Supr. 13. 'Magno animo et erecto est.'

4. *Iisdem verbis*] This letter was sent from Egypt by Pansa. The words were, 'ut essem idem qui fu-

Laboro equidem⁵ regis Deiotari causa, quocum⁶ mihi amicitiam respublica conciliavit, hospitium voluntas utriusque⁷ conjunxit, familiaritatem⁸ consuetudo attulit, summam vero necessitudinem magna ejus officia⁹ et in me et in exercitum meum effecerunt: sed quum de illo¹⁰ laboro, tum de multis amplissimis viris, quibus semel¹¹ ignotum a te esse oportet, nec beneficium tuum in dubium vocari, nec hærere in animis hominum sollicitudinem sempiternam, nec accidere, ut quisquam te timere incipiat eorum, qui semel a te sint liberati timore. Non debeo,¹² C. Cæsar, quod fieri solet in tantis periculis, tentare, quonam modo dicendo misericordiam tuam commovere possim. Nihil opus est. Occurrere ipsa solet¹³ supplicibus et calamitosis, nullius oratione evocata.¹⁴ Proponere tibi duos reges,¹⁵ et id animo contemplare, quod oculis non potes. Dabis profecto misericordiæ, quod iracundiæ denegasti. Multa sunt tuæ clementiæ monumenta: sed maxime eorum incolumitates,¹⁶ quibus salutem dedisti. Quæ

issem.' Ligar. 3. n. 9.

5. *Laboro equidem*] But knowing 'causas rogantium apud te gratiosiores esse quam preces.' (Ligar. 11.) I will tell you my reasons for being interested for Deiotarus.

6. *Quocum, &c.*] Cic. takes the highest ground; 'I loved him because he was the friend of my country.' Then follow the steps to 'summa necessitudo.'

7. *Voluntas utriusque*] For 'hospitium' was often a matter of form, or the inclination was all on one side. Not so here.

8. *Familiaritatem*] Supr. 5. n. 5.

9. *Officia*] While pro-consul of Cilicia. Introd. 3.

10. *Sed quum de illo*] Cic. wishes to set the cause on the widest foundation. The question is one of general interest: 'if, after what is past, you still harbour resentment against Deiotarus, the same may be expected by all who owe their life to your clemency, and doubts and fears take possession of their minds. Let them know, then, that once pardoned they are still pardoned.' There is a noble free-

dom in this address which we seek in vain in the 'pro Marcello.'

11. *Semel*] ἅπαξ, once for all. Supr. 3. 'Quum facile exorari Cæsar, tum semel exorari soles.' So in the Timon of Lucian ἅπαξ—δεδοχθω, once for all, be it decreed. Æn. xi. 418, Procubuit moriens et humum semel ore momordit.

12. *Non debeo*] Cicero, affecting to reject any appeal to the clemency of Cæsar, makes a strong appeal.

13. *Ipsa solet*] Is wont of itself to anticipate the claims of the wretched. 'Ipsa'—ἀντὴ μεμνῆα. 'Occurrere.' So Pers. i. 62. 'Posticæ occurrere sannæ.'

14. *Evocata*] Elicited. This word, 'occurrere' and 'commovere' are used metaphorically. *Manut.*

15. *Duos reges*] Perhaps Deiotarus, the father and the son: but see inf. 15. V. E. Abram. conjectures that the son may have been better liked by Cæsar, and therefore joined with the father.

16. *Incolumitates*] 'Incolumes' are those who are uncondemned.—Arch. 5. n. 3. Balb. 11. 'Cives—

si in privatis¹⁷ gloriosa sunt, multo magis commemorabuntur in regibus. Semper regium nomen in hac civitate sanctum¹⁸ fuit: sociorum vero regum et amicorum sanctissimum.¹⁹

XV. Quod nomen hi reges ne amitterent, te victore, timuerunt: retentum vero et a te confirmatum posteris etiam suis tradituros¹ esse confido. Corpora² vero sua, pro salute regum suorum hi legati tibi regii tradunt, Hieras, et Blesamius, et Antigonus, tibi nobisque omnibus jam diu noti, eademque fide et virtute præditus Dorylaus, qui nuper cum Hiera³ legatus est ad te missus, tum regum amicissimi,⁴ tum tibi etiam, ut spero, probati. Exquire de Blesamio,⁵ numquid ad regem contra dignitatem tuam scripserit. Hieras quidem causam omnem suscipit, et crimi-

indemnati et incolumes.'

17. *In privatis*] i. e. Collata in privatos; so of 'in regibus.' *Patric.*

18. *Sanctum*] For kings were thought to be under the protection of the gods. So Cæsar, in a funeral oration over his aunt, says, 'Est ergo in genere sanctitas regum, qui plurimum inter homines pollent, &c.' Sueton. Jul. 6. Manil. 9. n. 16. 17.

19. *Sociorum — regum — sanctissimum*] This might be designed by Cicerò as hinting to Cæsar, that his present titles might satisfy himself. This oration was delivered late in the year 708. In the following February Mark Antony offered Cæsar the diadem. *Le Clerc. V. E.*

SECT. XV.—1. *Posteris — tradituros*] This confidence was disappointed. Amyntas succeeded in Gallogræcia, and it was afterwards made a province. Strab. xii.

2. *Corpora*] Either as sureties, or to suffer any punishment awarded against their master. The Schol. edited by Maius says that those legates came to Rome to defend their master against the charge of disloyalty to Cæsar (*alieno animo*); and when there, were called on to answer this present charge, Phidippus having been in the mean time corrupted.

This account agrees very well with this voluntary offer of their persons for their master's safety.

3. *Nuper cum Hiera*] It is not known why Hieras, who makes one of the envoys, is here said to have come with Dorylaus. Weiske observes that Dorylaus may have been deputed by another petty sovereign who had some favour to solicit from Cæsar. This king may have been Ariobarzanes, the sovereign of Cappadocia; (*V. E.*) and with him Hieras may have found it convenient to come after the other two.

4. *Amicissimi*] This word and 'probati' have usually been interpreted in the nom. but there seems no occasion to compliment them a second time, 'regum' may as well be interpreted 'inter reges' as 'erga reges.' *V. E.*; i. e. they were usually referred to 'legati'; but may be referred to 'regis' understood.

5. *Exquire de Blesamio*] As the weight of the prosecution lay in the testimony of Phidippus, Cic. wished to conclude with impressing on the mind of Cæsar the opposing testimonies of men of integrity. Supr. 12, the charge against Blesamsus is given and refuted. 'Exquire,' tormentis exorque. *Sylv.*

nibus illis pro rege se supponit⁶ reum; memoriam tuam implorat, qua vales⁷ plurimum; negat unquam se a te in Deiotari tetrarchia pedem discessisse;⁸ in primis finibus⁹ tibi se præsto fuisse dicit, usque ad ultimos prosecutum; quum e balneo¹⁰ exisses, tecum se fuisse, quum illa munera inspexisses cœnatus, quum in cubiculo recubuisses; eandemque assiduitatem tibi se præbuisse postridie.¹¹ Quamobrem, si quid eorum, quæ objecta sunt, cogitatum¹² sit, non recusat, quin id facinus suum¹³ judices. Quocirca, C. Cæsar, velim existimes, hodierno die sententiam tuam, aut cum summo dedecore¹⁴ miserrimam pestem importaturam¹⁵ esse regibus,¹⁶ aut incolumem famam cum salute: quorum alterum¹⁷ optare, illorum crudelitatis est; alterum conservare,¹⁸ clementiæ¹⁹ tuæ.

6. *Hieras* — *se supponit*] Is willing to suffer for his master.

7. *Qua vales*] Phil. ii. 4. 'Fuit in illo ingenium, ratio, memoria, literatura.'

8. *Pedem discessisse*] i. e. The length of a foot. We have a similar expression. As Hieras never left you, he is therefore qualified to decide on the truth of the charge. He attended you both during your stay in the palace and the next day at Luceium. As none of the attempts charged could have been made without his privity, he calls on you to deem them, if any there were, to have been his, and try him accordingly.

9. *Finibus*] Deiot. had waited on Cæsar on the borders of Galatia, and was then accompanied by Hieras. *Introd.* 2.

10. *Balneo*] *Supr.* 6. The bath preceded the supper, and so it was intended, should the inspection of the gifts; but Cæsar refusing to go, it was put off till *after* supper. Hence 'cœnatus.'

11. *Postridie*] The day of the castle and bed-chamber scene. *Supr.* 6.

12. *Cogitatum*] A Deiotaro.

13. *Facinus suum*] Deem it as bad as if he himself had perpetrated it.

14. *Dedecore*] Of the king's, not Cæsar's.

15. *Importaturam*] Generally used in a bad sense, as the numerous examples of Forcel prove. *Hor. Ep.* i. 13. 4. 'Odium—importes.' *Off.* ii. 5. 'Si quid incommodi importetur.' *Sext.* 69.

16. *Regibus*] Either emphatically for 'Deiotarus' or taking in his son.

17. *Quorum alterum*] The former of which it is of a piece with the cruelty of the accusers to wish for; the latter, the part of your clemency to preserve inviolate.

19. *Clementiæ*] It was not unadvisedly that Cic. concludes his address with 'clementiæ tuæ;' this being an attribute on which Cæsar prided himself greatly, and to an excess of which, perhaps, he owed his untimely end. It is a rhetorical maxim to insert whatever is striking and important in the beginning of a speech, to make the judges attentive, and in the end to fix it in their memory.

which was the first of a series of important events in the history of the world. The first of these was the birth of Jesus Christ, who was born in the town of Bethlehem in the year 4 B.C. The second was the death of Jesus Christ, who was crucified in the year 33 A.D. The third was the resurrection of Jesus Christ, who rose from the dead on the third day after his death. The fourth was the ascension of Jesus Christ, who ascended into heaven forty days after his resurrection. The fifth was the coming of the Holy Spirit, who came upon the apostles at Pentecost. The sixth was the establishment of the Church, which was founded by Jesus Christ and his apostles. The seventh was the spread of the Gospel, which was preached by the apostles and their followers. The eighth was the conversion of the Gentiles, which was accomplished by the apostle Paul. The ninth was the destruction of the Temple in Jerusalem, which occurred in the year 70 A.D. The tenth was the fall of the Roman Empire, which occurred in the year 476 A.D. The eleventh was the birth of the Middle Ages, which began in the year 476 A.D. The twelfth was the fall of the Middle Ages, which occurred in the year 1492 A.D. The thirteenth was the birth of the modern world, which began in the year 1492 A.D. The fourteenth was the fall of the modern world, which occurred in the year 1914 A.D. The fifteenth was the birth of the new world, which began in the year 1914 A.D. The sixteenth was the fall of the new world, which occurred in the year 1945 A.D. The seventeenth was the birth of the new world, which began in the year 1945 A.D. The eighteenth was the fall of the new world, which occurred in the year 1989 A.D. The nineteenth was the birth of the new world, which began in the year 1989 A.D. The twentieth was the fall of the new world, which occurred in the year 2001 A.D. The twenty-first was the birth of the new world, which began in the year 2001 A.D. The twenty-second was the fall of the new world, which occurred in the year 2001 A.D. The twenty-third was the birth of the new world, which began in the year 2001 A.D. The twenty-fourth was the fall of the new world, which occurred in the year 2001 A.D. The twenty-fifth was the birth of the new world, which began in the year 2001 A.D. The twenty-sixth was the fall of the new world, which occurred in the year 2001 A.D. The twenty-seventh was the birth of the new world, which began in the year 2001 A.D. The twenty-eighth was the fall of the new world, which occurred in the year 2001 A.D. The twenty-ninth was the birth of the new world, which began in the year 2001 A.D. The thirtieth was the fall of the new world, which occurred in the year 2001 A.D.

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INTRODUCTION TO THE ORATIONS

AGAINST

LUCIUS CATILINE.

1. **THOUGH** the pages of Sallust form the best introduction to the Catilinarian orations of Cicero, yet it may be of use to connect with the notices of Catiline which they contain, some of the references to his history, found in other writers, and in the speeches of Cicero himself.

2. Catiline was born about A. U. 645. His high patrician pretensions (Sall. Cat.) are supported by the list of quæstors and prætors supplied to the republic by the Sergian family. His father, however, was poor; which seems to be the only excuse for the son becoming an agent of the atrocities of Sylla; and staining himself with the blood of Q. Cæcilius, his own brother-in-law, and M. Marcius Gratidianus, (Val. Max. ix. 2.) He was quæstor, A. U. 676, and ten years after, prætor; which led to his obtaining the province of Africa, the following year, 687; to which also we are obliged to refer the conspiracy of Piso, Sall. Cat. 18, in which Catiline had a share.* His rapacity in Africa demanded an accusation, which was conducted by Pub. Clodius. Catiline was consoled by the rank of his advocate, the consul Torquatus;† (Sulla, 29.) and escaped by bribing the prosecutor, (de Harusp. 20.) In the mean time his conduct in the proscription of Sylla was not forgotten. He

* Catiline left his province before the end of the year, on pretence of suing for the consulship, as Cic. (in Tog. Cand.) testifies; and was prevented by the African deputies who followed to impeach him. Cic., however, does not explain how Catiline could be a competitor for the consulship, the year after holding the prætorship. Hooke viii. 9. n. w.

† Yet this is the Torquatus whom Catiline this very year conspired to murder. Sall. Cat. 18. Torquatus had indeed heard of the conspiracy, but did not believe it. Sulla, 29.

was arraigned, A. U. 689, of murder by Lucullus * or Luceius, and was nearly ranking Cicero among his advocates. Att. i. 2. 'Hoc tempore, Catilinam, competitorem nostrum defendere cogitamus.' The issue is given shortly, Att. i. 16. 'Catilinam bis *absolutum* esse.'

3. But this was a busy year with Catiline; as besides this trial he canvassed for the consulship against Cicero and others, Att. i. 1. and laid a *second* plot against his country. This is detailed by Sall. c. 17; who gives Catiline's speech to the conspirators, c. 20, and states that this attempt promoted Cicero's views, who was elected consul, c. 23. Catiline, however, transferred his suit to the following year, and persevered in his designs, Sall. Cat. 26. Through the weak confidence of Curius, Cicero learned the whole plot, but waiting for some overt act of Catiline, he hesitated to interfere. The day of the consular election (21st of Oct.) drew near, and Cicero being informed that Catiline intended to attack him and his friends at the Comitia, had the election deferred to the 28th. In the mean time in a senate held on the 21st, he charged Catiline openly with his designs, who acknowledged himself the willing leader of the mob.† The Senate forthwith issued their high decree, arming Cic. with supreme authority. ‡ The election came; Silanus and Murena were appointed; and this drove Catiline 'extrema omnia experiri.' Sall. Cat. 26. Accordingly he despatched his emissaries into the provinces, and calling a meeting of the leading conspirators at the house of M. Porcius Læca, on the sixth of November he professed his readiness to take the field, if Cicero were killed. This task was undertaken by Cornelius and Vargunteius, who engaged to slay the consul the next morning at his house. Sall. Cat. 27, 28.

Cicero having learned this design by Curius, took the proper measures to defeat it; and convening the senate on the following

* Ascon. reads Lucullus; but it is probable that Luceius, whose speech against Catiline he afterwards quotes, is meant, especially as he says 'qui postea eundem honorem petiit;' but we read of no Lucullus being after this a competitor for the consulship, whereas Luceius was a competitor with Cæsar and Bibulus. Att. iv. 6. As to L. Paullus, who, on the authority of Sallust. c. 31., is usually given as the accuser of Catiline on this trial, it appears that it was 'lege Plautia de vi,' not 'lege de sicariis,' that he arraigned Catiline.

† A few days before, he had addressed to Cato the strong expression 'incendium meum ruina restinguam,' which Sallust says was elicited by a speech of Cicero's and the reproaches of the senate. Muren. 25. Sall. Cat. 3.

‡ Sallust places the issuing of this decree after the day of election, whereas Cic. says, Cat. i. 2. that he was then in possession of it twenty days—a round number for eighteen; but exact enough to shew that Sallust is in error.

day, the eighth of November, to the temple of Jupiter Stator, to inform them of this new atrocity, he was surprised to find Catiline in attendance. Roused with indignation at this matchless audacity, he gave vent to his feelings in that speech which is called

THE FIRST CATILINARIAN ORATION.

4. In this speech Cicero ‘gloriously offends’ against the rules of the Rhetoricians; for it is neither ‘judicial,’ as being made in the senate, nor ‘deliberative,’ as it supports or opposes no proposition. It is, in short, a violent invective against Catiline, wherein the orator upbraids his audacity, for appearing in the senate, when he knew that his designs were discovered; c. 1—5; advises his departure from the city, where his crimes had made him infamous, c. 6—9; but corrects himself as he finds that Catiline intends to join his followers in Etruria. c. 9—10. Lastly, he defends the expulsion of Catiline from the city when his death would have appeared preferable, on the ground that the latter would have afforded a temporary relief; whereas, the former, by removing the associates of Catiline, would effect a radical cure of the evils of the state. c. 11—13. He concludes with encouraging the senate, and praying to Jupiter to take vengeance on the enemies of the state. c. 13.

5. The effect of this speech on Catiline is stated by Sallust, Cat. 31. He denied the charges of Cicero, boasted of his patrician blood, and upbraided Cicero with the meanness of his birth. He was replied to by a simultaneous shout of ‘traitor’ from the senators; upon which, he flung himself out of the senate, and, at midnight, set out for the camp of Mallius.—Cicero, on the following day, having convoked an assembly of the people, explained the motives of his conduct in permitting Catiline to depart. This forms

THE SECOND CATILINARIAN ORATION.

In this address to the people, Cicero first congratulates them on the departure of Catiline, which alone he thought a victory. c. 1. He then apologizes for permitting so dangerous a man to escape, when he might have apprehended him, and shows that it was not his fault, but that of the times; for, however guilty Catiline might be, that many would be found to disbelieve, many to justify the allegations made against him; while the odium likely to accrue from his punishment, would prevent Cicero from being able to punish his accomplices. c. 2. And so far was he from fearing Catiline as an *extern* enemy, that he felt

grieved at his not taking with him his traitorous associates, who remaining behind, were more to be feared. c. 3. Hence he exhorts them either to leave the city or keep themselves quiet: in failure of which, he hints that they may expect condign punishment. c. 5. He then refutes the assertion of those who say that he had forced Catiline into exile, by showing that it was to Mallius he was gone, not to Massilia; nor should he object to bear the odium of having forced him into exile, if it were true—as it was a circumstance rather to be wished than complained of. c. 7. He then proceeds to classify the associates of Catiline who remained at Rome: 1. Men in debt, who had estates sufficient, if sold, to satisfy their creditors. c. 8. 2. Men who are both in debt and ambitious of preferment. 3. Sullanian colonists. c. 9. 4. A motley group of a lower grade, whom idleness and extravagance had plunged into debt. 5. Parricides, assassins, &c. 6. Rakes, gamblers, &c. c. 10. To all these he shows that ample forces can be opposed, and even if there were not, yet is there such an inherent difference in the causes, that the very gods will crown with success the efforts of virtue against vice and profligacy. c. 11. Hence he exhorts the citizens to hope the best, c. 12, and repeats his advice to the associates of Catiline, either to leave the city or keep quiet within it—assuring the people that the public peace will be preserved, and advising them to implore the gods to shield their country from harm. c. 13.

6. Cicero had rightly conjectured that the Mallian camp was the real destination of Catiline; and Sallust informs us, c. 36, that as soon as his arrival there was known at Rome, the senate decreed him and Mallius traitors, and ordered the necessary levies to oppose them and guard the city. In the mean time, the deputies of the Allobrogians, a Gallic state then much oppressed with debt, which they had come to Rome to seek relief from, were invited to join in the conspiracy, through whom Cicero was informed of the particulars of a plan among the associates of Catiline, to set fire to the city, and while the dismay was general, to break out and join Catiline.

Cicero took the necessary measures to defeat this design, but not until the deputies had obtained, from the principal conspirators, letters and an oath to show their countrymen, and which in the hands of Cicero afforded decisive evidence of their guilt.

Cicero then, early on the third of December, summoned the senate to the Temple of Concord, in whose presence he convicts the conspirators by these undeniable proofs. The senate ordered them into custody, and assigns their punishment to Cicero. Late on the same day, in an assembly of the people, the consul made the

THIRD CATILINARIAN ORATION.

7. In it he first recounts the detection of the conspiracy. c. 1--5. As the decree of the senate had not been transcribed, he next repeats from memory the heads of it to the people, for their information—the thanks to himself, his colleague, and the prætors; the directions for imprisoning the conspirators, and the supplication voted to the gods, c. 6, Sall. c. 47; and he desires the citizens to consider the conspiracy as now completely quashed, c. 7; and proves that it was all owing to the good providence of the gods, c. 8. 9. He advises the citizens duly to perform the supplication decreed to the gods, c. 10; and adds that as for himself, the only reward he sought was the eternal remembrance of that day, c. 11. Finally he conjures them to prevent his patriotic actions from turning to his detriment, and to continue, as before, guarding their homes, c. 12.

8. It remained to decide upon the actual punishment which it would be right to inflict on the conspirators; and on the fifth of December, a senate was convoked to consider this important question.

Two opinions were proposed, one of Silanus, consul elect which recommended the immediate capital punishment of the conspirators, the other of Cæsar, who advocated a perpetual imprisonment throughout the corporate towns of Italy. Before the votes were taken, Cicero rose, and spoke

THE FOURTH CATILINARIAN ORATION.

9. After thanking the fathers for their anxiety about his welfare, he entreats them to think rather of themselves and their country, c. 1. 2. He then shews that the prisoners had been condemned by the decision of the senate, and that their punishment must be fixed before that night, c. 3. He next lays before the fathers the two propositions, not without shewing his leaning towards that of Silanus, c. 4. 6. But lest a doubt as to whether the consul had forces sufficient to carry a severe sentence into execution, might indispose some minds to vote for such a sentence, he shews that he was quite equal to preserve the peace, and was backed by a wonderful zeal in men of every rank. c. 7. 8. His inference is, that the senate, thus supported, should not be backward in supporting the people. c. 9. Finally he expresses his contempt for any odium to which his patriotic endeavours may expose him, as compared with the glory of saving his country; and exhorts them ever to bear in mind

his consulship, to protect his son, if any mishap should befall himself, and manfully and firmly to decide on the punishment of the arraigned.

We learn from Sallust, (c. 50.) that the proposition of Cato, who followed Cicero, and which was in effect the same as that of Silanus, sc. recommending capital punishment, was adopted, and that Cicero that very night carried it into effect. The fate of Catiline is briefly told. He was slain in battle in the beginning of the following year, A. U. 692, in the Pistorian district, by the troops of the republic, under the command of Petreius, the lieutenant of C. Antonius, the colleague of Cicero.

M. TULLII CICERONIS

IN

LUCIUM CATILINAM,

ORATIO I.

I. QUOUSQUE¹ tandem abutere,² Catilina, patientia nostra?³ quamdiu etiam furor iste tuus [nos] eludet?⁵ quem ad finem⁶ sese effrenata jactabit audacia?⁷ nihilne⁸ te nocturnum præsidium Palatii,⁹ nihil urbis vigiliæ,¹⁰ nihil timor po-

SECT. I.—1. *Quousque*, &c.] Quint. ix. 2. notices the energy which is here imparted by the use of the interrogation, and Muretus finds in the initial iambses, pæons, &c. ‘sublimem quendam et plenum dignitatis sonum.’ Major’s Hec. 85. πᾶ ποτε : ποτε denotes extreme impatience, as ‘tandem’ in Latin. Sall. 20. ‘quousque tandem, &c.’

2. *Abutere*] Misapply—trample upon; sc. by making use of it to confirm, not correct your audacity. Mil. 2. n. 19.

3. *Nostra*] Of the consuls, more particularly, but also of the senate, who had shewn their patience in the lenity of their decree. Muren. 25. Neque tamen satis severe pro rei indignitate decrevit.

5. *Eludet*] ‘Eludere,’ is 1. to make an end of play.—2. get the better at play, conquer. Hence, as here,—to sult over, to mock.

6. *Quem ad finem*] In what will your audacity end? ‘Sese jactabit;’

fling, præcipitate itself. Curt. v. 6. Similarly, Eurip. Hippol. Τὸ τέρμα τόλμης, καὶ θράσες γενήσεται.—Muret.

7. *Effrenata jactabit audacia?*] Muretus here notices, not without reason, the repetition of the vowel *a*, as contributing to express the fullness of Cicero’s passion; and contrasts it with ‘Cupio me esse clementem, &c,’ inf., where a contrary feeling is exhibited. It might be fairly asked how far such a comparison would support the modern enunciation of that vowel in a neighbouring country.

8. *Nihilne*, &c.] The repetition of ‘nihil’ here affords an example of the figure called *Epanaphora*.

9. *Nocturnum præsidium Palatii*] Which was only placed there in dangerous times. Palatium, the Palatine hill, so called from Pallanteum, a city of Arcadia, Æn. viii. 51, was the most ancient and famous of the hills of Rome; for on it was shewn the cottage of Romulus, and it was the site

puli,¹¹ nihil concursus bonorum omnium, nihil hic munitissimus habendi senatus locus,¹¹ nihil horum ora¹² vultusque moverunt? patere tua consilia non sentis?¹³ constrictam¹⁴ jam omnium horum conscientia teneri conjurationem tuam non vides? quid proxima, quid superiore¹⁵ nocte egeris, ubi fueris, quos convocaveris,¹⁶ quid consilii ceperis, quem nostrum ignorare arbitraris? O tempora! O mores! Senatus hæc intelligit, consul videt:¹⁷ hic tamen vivit.¹⁸ Vivit? im-

of the splendid mansion of Augustus; whence our application of the word 'palace' is taken.

10. *Vigilia*] Sall. Cat. 30. Item decrevere ut Romæ per totam urbem vigiliæ haberentur, iisque minores magistratus præessent. *Muret.* The Romans under the Republic had no regular police, and only employed sentinels on occasions of alarm from foreign or domestic foes, conflagration, or the like. Liv. iii. 6; who mentions that the Senators performed the duty of city guards. Vid. also xxxix. 14. Augustus appears to have appointed a police to guard the city against fires. Suet. 30. 'Adversus incendia excubias nocturnas vigilesque commentus est.'

11. *Timor populi*] Cic. for one, was so much afraid, that he came to the Campus Martius 'cum illa lata insignique lorica non quæ tegetet, verum ut omnes boni . . . ad præsidium meum concurrerent. Muren. 26. And this is the 'conkursus bonorum' which follows, where some read *consensus*, others *conventus*, but Cicero's words are 'boni concurrerent.'

11. *Hic — locus*] The temple of Jupiter Stator. Inf. 5. Magna est habenda huic ipsi Jovi Statori, antiquissimo custodi hujus urbis, gratia.

12. *Horum ora*] For the senators, on the entrance of Catiline, quitted the benches to which he came. Inf. 7. Adventu tuo ista subsellia vacuefacta sunt.

13. *Patere — non sentis*] From all these circumstances can you not infer the detection of your schemes?

14. *Constrictam*] The metaphor is

taken from chaining a wild beast, to which he compares the conspiracy.

15. *Proxima—superiore*] So Arch. 5. Proximis censoribus, superioribus, primis? 'Proximus' is 'the nearest to the present', whether future, or past. Thus inf. 6. 'Ruinas fortunarum, impendere tibi proximis idibus senties.' But here it refers to the past, and 'proxima' is the last, 'superiore' the second last night. We are not informed where Catiline spent the last night, but we know that he spent the night *preceding* it, in the house of M. Porcius Læca, with the conspirators. Inf. c. 4; and as Cic., Sull. 18. informs us, that that was the night 'quæ consequuta est posterum diem nonarum Nov.' i. e. the sixth of Nov., we infer that the speech was made on the eighth. For the following day, we may suppose, Cic. spent in detailing how the attempt of Cornelius and Vargunteius was frustrated, (Sall. Cat. 28.) and convening the senate for the following day. This is stated incorrectly in the Delph.

16. *Quos convocaveris*] Muretus has carefully collected the names of those that were said to belong to the conspiracy to the number of forty; but as the principal of them are found in Sallust, it did not appear necessary to transcribe them.

17. *Senatus — videt*] This senarian has not escaped the sagacity of Muretus, who remarks, from Aristotle, that the Iambus is the proper diction of the multitude, and Hor. says of it 'alternis aptum sermonibus.' It is more strange then that so few senarians appear,

mo vero etiam in senatum¹⁹ venit: fit publici consilii particeps: notat et designat²⁰ oculis ad cædem unumquemque nostrum. Nos autem, viri fortes,²¹ satisfacere reipublicæ videmur, si istius furorem ac tela vitemus. Ad mortem te, Catilina, duci jussu consulis²² jampridem oportebat;²³ in te conferri pestem istam, quam tu in nos omnes jamdiu machinaris.²⁴ An vero²⁵ vir amplissimus, P. Scipio,²⁶ pontifex maximus, Ti. Gracchum,²⁷ mediocriter labefactantem statum reipublicæ, privatus interfecit: Catilinam [vero,] orbem terræ cæde atque incendiis vastare cupientem, nos consules perferemus? Nam illa nimis antiqua prætereo, quod Q. Servilius Ahala²⁸ Sp. Mælium, novis rebus studentem,²⁹ manu sua³⁰ occidit. Fuit, fuit³¹ ista quondam in hac re publica virtus, ut viri fortes acrioribus suppliciis civem perniciosum, quam acerbissimum hostem coercerent. Habemus senatusconsultum in te, Catilina, vehemens et grave: non deest reipublicæ consilium, neque auctoritas hujus ordinis:³² nos, nos, dico aperte, consules desumus.

than that a solitary one is found. Arch. 1. n. 2.

18. *Hic tamen vivit*] Instead of being condemned by the senate, apprehended by the consul, and capital-ly punished. Muret.

19. *In senatum*] For he was of prætorian rank.

20. *Notat et designat*] As those who are about to offer a sacrifice, mark the victims out of the flock. Muret.

21. *Viri fortes*] Irony. For bravery does not consist in caution. Muret.

22. *Jussu consulis*] For Cic. was armed with supreme authority, which, 'more Romano,' empowered him to punish with death. Sall. Cat. 29. Hence, Cic. Mil. 26. remarks that Pompey, under the same authority, 'in Milonem animadvertere ipse et more majorum et suo jure posset.'

23. *Ad mortem — oportebat*] This is his proposition, which he enforces by the example of others. 'Jampridem,' inf. 2. 'vicesimum jam diem, &c.

24. *Machinaris*] Metaphora ab architectis desumpta. Delph. Would not 'machinari pestem' then be a mixed metaphor? Take it then with Muret. in the proper force of *μηχανᾶσθαι*.

25. *An vero, &c.*] The opposition here, as Quint. remarks, holds in four respects: 1. Scipio, a private man, is contrasted with Cicero, a consul; 2. Gracchus with Catiline; 3. a slight attempt against the constitution with massacre and conflagration; 4. The Roman republic with the whole world.

26. *P. Scipio*] Mil. 3. n. 18.

27. *Ti. Gracchum*] Mil. 3. n. 16.

28. *Q. Serv. Ahala*] Mil. 3. n. 17.

29. *Novis rebus studentem*] *Νεωτερίζοντα*. Muret.

30. *Manu sua*] *Ἐμφατικῶς*. Muret. 31. *Fuit, fuit*] Dem. de Cor. 60. *ἐκ ἔστιν, ἐκ ἔστιν, ὅπως ἡμάρτετε, ἄνδρες Ἀθηναῖοι*.

32. *Hujus ordinis*] Neither the counsel nor authority of this order is wanting to the republic.

II. Decrevit quondam Senatus, ut L. Opimius consul videret, ne quid respublica detrimenti caperet. Nox nulla intercessit: interfectus est propter quasdam seditionum suspiciones C. Gracchus,¹ clarissimo patre, avo, majoribus: occisus est cum liberis M. Fulvius,² consularis. Simili senatusconsulto, C. Mario et L. Valerio consulibus permissa est respublica. Num unum diem postea L. Saturninum³ tribunum plebis, et C. Servilium Prætozem, mors ac [reipublicæ] pœna remorata est? At nos vicesimum jam diem⁴ patimur hebescere aciem horum auctoritatis.⁵ Habemus enim hujusmodi senatusconsultum, verumtamen inclusum in tabulis, tanquam [gladium] in vagina reconditum: quo ex senatusconsulto confestim⁶ interfectum te esse, Catilina, convenit. Vivis: et vivis non ad deponendam, sed ad confirmandam audaciam. Cupio,⁷ Patres conscripti, me esse clementem: cupio in tantis reipublicæ periculis non dissolutum⁸ videri: sed jam me ipse inertiae nequitiaeque condemno. Castra sunt in Italia contra rempublicam in Etruriæ faucibus⁹ collocata: crescit in dies singulos hostium numerus: eorum autem imperatorem castrorum ducemque hostium intra mœnia atque adeo in senatu videmus, intestinam aliquam quotidie perniciem reipublicæ molientem. Si te jam, Catilina, comprehendi,¹⁰ si interfici jussero, credo,¹¹ erit verendum mihi, ne non¹² hoc potius omnes boni serius a me, quam quisquam crudelius factum esse dicant. Verum ego hoc, quod

SECT. II.—1. *L. Opimius—C. Gracchus*] Mil. 3. n. 19.

2. *M. Fulvius*] He was joined in commission with C. Gracchus, to divide the public lands; and, with his sons, was slain by Opimius and the nobles, together with three thousand men, A. V. 631.

3. *Mario—Saturn.*] Mil. 3. n. 20.

4. *Vices.—diem*] Introd. 3.

5. *Acie—auctoritatis*] A metaphor from a sword, which becomes a simile in 'inclusum in tabulis tanquam, &c.'

6. *Confestim*] 'Con—fari.' We say, 'no sooner said than done.'

7. *Cupio, &c.*] Supr. 1. n. 7.

8. *Dissolutum*] Too lax or indul-

gent, as the following words 'inertiae nequitiaeque' show. Dem. calls it ῥαθυμία.

9. *Etruriæ faucibus*] At Fesulæ, where the camp of Mallius was.—Sall. Cat. 27.

10. *Si te—comprehendi*] A Phalæcian hendecasyllabic verse, (consisting of a spondee, dactyl, and three trochees). Mur. Supr. 1. n. 1.

11. *Credo*] Ironiæ nota. Muret. But if that means that 'credo' here signifies 'I do not believe,' it evidently contradicts the sense. Explain it then with Manut. 'non dubito.'

12. *Verendum—ne non*] *Ne non* with verbs of fearing is equivalent to *ut*, the negatives cancelling each other. Epis. v. 18. Unum vereor

jampridem factum esse oportuit, certa de causa¹³ nondum adducor, ut faciam. Tum denique interficiam te, quum jam nemo tam improbus, tam perditus, tam tui similis inveniri poterit, qui id non jure factum esse fateatur. Quamdiu quisquam erit, qui te defendere audeat, vives: et vives ita, ut nunc vivis, multis meis et firmis præsidiis obsessus, ne commovere te contra rempublicam possis. Multorum te etiam oculi et aures non sentientem, sicut adhuc fecerunt, speculabuntur atque custodient.

III. Etenim quid¹ est, Catilina, quod jam amplius expectes, si neque nox tenebris obscurare cœtus nefarios, nec privata domus² parietibus continere voces conjurationis tuæ potest? si illustrantur,³ si erumpunt omnia? Muta jam istam mentem,⁴ mihi crede: obliviscere cædis, atque incendiorum. Teneris undique: luce sunt clariora nobis tua consilia omnia: quæ etiam mecum licet recognoscas.⁵ Meministine, me ante diem xii⁶ Kalendas Novembres dicere in senatu, fore in armis certo die, qui dies futurus esset ante diem vi⁷ Kal. Novembres, C. Mallium,⁸ audaciæ satellitem atque administrum tuæ? Num me fefellit, Catilina, non modo res tanta, tam atrox, tam incredibilis, verum id quod multo magis est admirandum, dies? Dixi ego idem in se-

ne senatus Pompeium noli dimittere; i. e. vereor ut velit. Zumpt, c. 76. Mil. 18. n. 7.

13. *Certa de causa*] This 'certain reason' is fully explained in the second oration, c. 2.

SECT. III.—1. *Etenim quid, &c.*] This is a rhetoric artifice to introduce what he had discovered about the conspiracy; 'Meministine, &c.'

2. *Nox—privata domus*] Introd. 3.

3. *Illustrantur*] Referring to 'nox tenebris;' 'erumpunt' to 'privata domus parietibus.' Muret.

4. *Muta jam mentem*] He does not mean his 'mind;' for that was gone too far to be changed; but his 'present purpose;' which being so completely thwarted, Catiline might be reasonably expected to adopt another; i. e. to set out to Mallius.

5. *Recognoscas*] 1. To recognise; 2. (as here) to call to mind. Forcel.

6. *Ante diem xii.*] Al. *in ante diem*; for which construction vid. Mil. 10. n. 4. He means the 21st of October, the day appointed originally for holding the comitia. Introd. 3.

7. *Ante diem vi.*] And so Sall. Cat. 30. C. Mallium, arma cepisse, ante diem vi. Kal. Nov. The 27th of Oct.

8. *C. Mallium*] Al. *Manlium*; but the Manlian family was patrician. This Mallius had been a centurion under Sylla, and was one of the military colonists whom he had settled at Fesulæ. Cat. ii. 7. 9. Having come to Rome to forward the election of Catiline, he was afterwards dispatched to Fesulæ to begin the war. Sall. Cat. 24. 27.

natu, cædem te optimatum contulisse in ante diem v⁹ Kalendas Novembres, tum, quum multi principes civitatis Roma non tam sui conservandi,¹⁰ quam tuorum consiliorum reprimendorum causa profugerunt. Num infitiri potes, te illo ipso die meis præsiidiis, mea diligentia circumclusum, commovere te contra rempublicam non potuisse, quum tu discessu ceterorum,¹¹ nostra tamen, qui remansissemus,¹² cæde contentum te esse dicebas? Quid? quum tute Præneste¹³ Kalendis ipsis Novembribus occupaturum, nocturno impetu esse confideres: sensistine, illam coloniam¹⁴ meo jussu, meis præsiidiis, custodiis, vigiliisque esse munitam? Nihil agis, nihil moliris, nihil cogitas,¹⁵ quod ego non modo non audiam, sed etiam non videam planeque sentiam.

IV. Recognosce tandem mecum noctem illam superiorem¹: jam intelliges multo me vigilare acrius ad salutem, quam te ad perniciem reipublicæ. Dico te priori nocte venisse inter falcarios² (non agam obscure) in M. Læcæ domum: convenisse eodem complures³ ejusdem amentiae scelerisque socios. Num negare audes? Quid taces? Convincam, si negas. Video enim esse hic in senatu quosdam, qui tecum una fuerunt. O dii immortales! ubinam gentium

9. *In ante diem v.*] The 28th of Oct. Introd. 3. The Delph. says, 'in die qui esset ante diem in quem dilata fuerant Comitia.' But 'in ante diem' is the same as 'ante diem.' Mil. 10. n. 4.

10. *Non tam sui conservandi*] i.e. Those 'principes civitatis' considerately withdrew themselves from the city; not through personal fear, but lest they should be slain along with the consul; and, of course, no body left to oppose Catiline!

11. *Discessu ceterorum*] Sc. the 'principes' noted above.

12. *Remansissemus*] So Sall. Cat. 27. 'Seque ad exercitum profecturum, si Ciceronem oppressissent.'

13. *Præneste*] Præneste was a town of Latium, about twenty-four miles from Rome, which we may suppose Catiline to have attempted to seize on and garrison, though it is not no-

ticed by Sallust.

14. *Coloniam*] Supposed by Manut. to have been planted by Sylla, (Agr. ii. 28,) who planted several military colonies. A. Gell., xvi. 13, mentions that the inhabitants petitioned Tiberius to be admitted to the rank of a corporate town instead of a colony.

15. *Nihil agis—moliris—cogitas*] An ascending series; for it was more difficult to ascertain the attempts than the acts of Cat.; but to arrive at his thoughts, more difficult still. Muret.

SECT. XIV.—1. *Superiorem*] Last night but one. We say, 'ere last night'—sc. came. Introd. 3.

2. *Inter falcarios*] 'Falcarius' is, properly, a scythe-maker. Hence the street where they dwelt was called 'inter falcarios.' Sull. 18.

3. *Complures*] Sall. Cat. 17, names eleven senators who were

sumus? quam rempublicam habemus? in qua urbe vivimus? Hic, hic sunt, in nostro numero, Patres conscripti, in hoc orbis terræ sanctissimo gravissimoque consilio, qui de meo nostrumque omnium interitu, qui de hujus urbis, atque adeo orbis⁴ terrarum exitio cogitent. Hosce ego video consul, et de republica sententiam rogo! et, quos ferro trucidari oportebat, eos nondum voce vulnero! Fuisti igitur apud Læcam⁵ illa nocte, Catilina: distribuisti partes Italiæ:⁶ statuisti quo quemque proficisci placeret: delegisti, quos Romæ relinqueres,⁷ quos tecum educeres: descripsisti urbis partes⁸ ad incendia: confirmasti, te ipsum jam esse exiturum: dixisti paululum tibi esse etiam tum moræ, quod ego viverem.⁹ Reperti sunt duo equites Romani,¹⁰ qui te ista cura liberarent, et sese illa ipsa nocte paullo ante lucem me meo in lectulo interfec-turos¹¹ pollicerentur. Hæc ego omnia, vix dum etiam¹² cœtu vestro dimisso, comperi: domum meam majoribus præsi-diis munivi atque firmavi: exclusi eos, quos tu mane ad me salutatum miseras, quum illi ipsi venissent; quos ego jam multis ac summis viris ad me id venturos temporis esse prædixeram.

V. Quæ cum ita sint,¹ Catilina, perge quo cœpisti: egredere aliquando ex urbe: patent portæ: proficiscere. Nimum diu te imperatorem tua illa Malliana castra desiderant. Educ tecum etiam omnes tuos; si minus,² quamplurimos. Purga urbem. Magno me metu liberabis, dum-

privy to the plot.

4. *Hujus urbis—orbis*] Παρίχρησις. Muret.; i. e. he thinks there is an attempt at alliteration in these words.

5. *Apud Læcam*] Sall. Cat. 27. Sull. 18.

6. *Partes Italiæ*] Sall. Cat. 27. C. Mallium Fesulas, atque in eam partem Etruriæ, Septimium quendam Camertem in agrum Picenum, C. Julium in Apuliam. Introd. 3.

7. *Romæ relinqueres*] Lentulus, Cethegus, &c. Sall. Cat. 32.

8. *Urbis partes*] Sall. Cat. 43.—Statilius et Gabinus duodecim simul opportuna loca urbis incenderent.

9. *Dixisti—viverem*] Sall. Cat. 27. Eum [Ciceronem] suis consiliis multum officere.'

10. *Duo equites Romani*] Sallust. Cat. 28, says one—C. Cornelius; and is so far corroborated by Cicero, Sull. 18. But the second, according to Sallust, was L. Vargunteius, a senator. Plutarch and Appian differ still farther from Cicero.

11. *Me—interfectu.*] Sall. Cat. 28. De improvise imparatum confodere.

12. *Vix dum etiam*] Curius... *propere* per Fulviam dolum—enunciat. Sall. Cat. 28, where also, 'sicuti salutatum, &c.,' agreeing with Cicero's account.

SECT. V.—1. *Quæ cum ita sint*] Cic. sums up his argument by concluding that Catiline should at once leave the city.

2. *Si minus*] But if not all.

modo inter me atque te murus³ intersit. Nobiscum versari jam diutius non potes: non feram, non patiar, non sinam. Magna diis immortalibus habenda est gratia, atque huic ipsi Jovi Statori,⁴ antiquissimo custodi hujus urbis, quod hanc tam tetram, tam horribilem, tamque infestam reipublicæ pestem toties jam effugimus. Non est sæpius in uno homine⁵ summa salus periclitanda reipublicæ. Quamdiu mihi, consuli designato,⁶ Catilina, insidiatus es, non publico me præsidio, sed privata diligentia defendi. Quum proximis comitiis⁷ consularibus me consulem in campo, et competitorum tuos interficere voluisti, compressi tuos nefarios conatus amicorum præsidio⁸ et copiis, nullo tumultu publice concitato: denique, quotiescunque me petisti,⁹ per me tibi obstiti; quamquam videbam, perniciem meam cum magna calamitate reipublicæ esse conjunctam. Nunc jam aperte rempublicam universam¹⁰ petis: templa deorum immortalium, tecta urbis, vitam omnium civium, Italiam denique totam, ad exitum et vastitatem vocas.

Quare, quoniam id, quod primum,¹¹ atque hujus imperii¹² disciplinæque majorum proprium est, facere nondum audeo: faciam id, quod est ad severitatem lenius, ad communem salutem utilius. Nam, si te interfici jussero, residebit in re publica reliqua conjuratorum manus. Sin tu (quod te jamdudum hortor) exieris, exhaurietur ex urbe tuorum comitum magna et perniciosa sentina¹³ reipublicæ.¹⁴ Quid est, Catilina?

3. *Murus*] A city wall.

4. *Diis—atque Jovi Statori*] i. e. To the gods, and, in particular, to Jupiter Stator. Muret. quotes *Τρῶας τε καὶ Ἑκτορα νηυσὶ πέλασσε*; and 'Reliquias Danaum atque immitis Achilli.' 'Stator,' i. e. 'qui fugam sistit.' Liv. i. 12.

5. *In uno homine*] Catiline; though some, induced by Cicero's egregious vanity, refer it to himself.

6. *Consuli design.*] Introd. 3. The consuls were L. Cæsar and C. Figulus.

7. *Proximis comitiis*] At which Cic. presided, and Silanus and Murena were designated.

8. *Amicorum præsidio*] Muren. 26. *Descendi in campum cum firmis-*

simo præsidio fortissimorum virorum.

9. *Me petisti*] A metaphor taken from the gladiators.

10. *Rempub. universam, &c.*] An amplification by an enumeration of the parts, the whole being first posited. Conversely in Pis. 1, he proceeds from the parts to the whole: 'Oculi, supercilia, frons, vultus denique totus.' Muret.

11. *Id quod primum*] Sc. to have you put to death.

12. *Hujus imperii*] The consular authority amplified by the decree 'Ne quid detrimenti, &c.'

13. *Sentina*] is, 1. The bottom of a ship, where the bilge-water is; 2. the bilge-water itself. Hence, metaphorically, 'the dregs of society;'

num dubitas id, me imperante, facere, quod jam tua sponte faciebas? Exire ex urbe jubet consul hostem.¹⁵ Interrogas me, num in exsilium? Non jubeo:¹⁶ sed si me consulis, suadeo.

VI. Quid est enim,¹ Catilina, quod te jam in hac urbe delectare possit? in qua nemo est, extra istam conjurationem perditorum hominum, qui te non metuat; nemo, qui non oderit.² Quæ nota domesticæ turpitudinis non inusta³ vitæ tuæ est? quod privatarum rerum dedecus non hæret infamiæ? quæ libido ab oculis,⁴ quod facinus a manibus unquam tuis, quod flagitium a toto corpore abfuit? cui tu adolescentulo, quem corruptelarum illecebris irretisses, non aut ad audaciam ferrum, aut ad libidinem facem⁵ prætulisti? Quid vero? nuper, quum morte superioris uxoris novis nuptiis domum vacuefecisses,⁶ nonne etiam alio incredibile scelère hoc scelus cumulasti? quod ego prætermitto, et facile patior sili, ne in hac civitate tanti facinoris immanitas aut exstiterit, aut non vindicata esse videatur. Prætermitto ruinas fortunarum

which would be cleared out (exhaustetur) by the departure of Catiline. Quint. viii. 6. Cicero recte 'sentinam reip.' dixit, fæditatem hominum significans.

14. *Reip.*] This word is bracketed by Ern., and 'tuorum comitum' suspected by Heuman. It is to be explained, however, on the principle that a single substantive often governs two genitives, one having generally an active or possessive force, the other a passive; thus Cæs. B. G. i. 30, 'Helvetiorum injuriæ populi Romani;' injuries committed by the Helvetii (active) against the Roman people (passive). So here trans. 'the canaille of the republic made up of your companions.' Schell. Lat. Gram. vol. i. p. 364. Sch., however, would take 'reip.' as the dat. on 'perniciosa,' transposing the words.

15. *Consul—hostem*] These are more emphatic, according to Muret, than 'Cicero—Catilinam.'

16. *Non jubeo*] For exile was not a punishment by the Roman law;

but rather the consequence of the penalty enacted. So 'aqua et igni interdicti' was equivalent to banishment.

SECT. VI.—1. *Quid enim*] He proceeds—'suadere'—to his advice; namely, to leave the city; and he occupies the three following sections in stating his reasons for that advice, which were any thing but conciliatory towards Catiline. Introd. 4.

2. *Metuat—oderit*] Hence Phil. i. 14, 'Oderint dum metuant;' those passions being naturally allied.

3. *Nota—inusta*] A metaphor from branding slaves. 'What stigma, &c.' Barbarum compunctis notis Thraciis. Off. ii. 7. Mil. 12. n. 17.

4. *Libido ab oculis*] Hence such phrases as 'patrantes oculi.' Pers. Sat. i. 18.

5. *Facem*] Namely, to light him on the way to his haunts. Sall. Cat. 14.

6. *Morte—vacuefecisses*] Al. *vacuam fecisses*. The parallel passage in Sallust 'necato filio, vacuam domum scelestis nuptiis fecisse,' would

tuarum, quas omnes impendere tibi proximis Idibus⁷ senties : ad illa venio, quæ non ad privatam ignominiam vitiorum tuorum, non ad domesticam tuam difficultatem⁸ ac turpitudinem, sed ad summam rempublicam,⁹ atque ad omnium nostrum vitam salutemque pertinent. Potestne tibi hæc lux, Catilina, aut hujus cœli spiritus esse jucundus quum scias horum esse neminem, qui nesciat, te pridie Kalendas Januarias,¹⁰ Lepido et Tullo consulibus, stetisse in comitio cum telo ?¹¹ manum, consulum et principum civitatis interficiendorum causa, paravisse ? scelere ac furori tuo non mentem aliquam, aut timorem tuum, sed fortunam populi Romani obtituisse ? Ac jam illa omitto. Neque enim sunt aut obscura, aut non multa post commissa.¹² Quoties tu me designatum, quoties consulem interficere conatus es ! quot ego tuas petitiones ita conjectas, ut vitari non posse viderentur,

lead us to explain Cicero thus : That on the death of his wife, Catil. cleared his house for a new connexion with Aurelia Orestilla, by murdering his son ('hoc scelus'). Then 'alio incredibili scelere' will be his marriage with his own daughter. Tog. Cand. 'Ex eodem stupro tibi et uxorem et filiam invenisti.' But the more obvious explanation is, that Catil. by the death of his former wife (hoc scelus) prepared his house for a new connexion ; and to this added the murder of his son (alio incredibili scelere).

7. *Proximis Idibus*] For the ides was the regular day for the payment of the interest or principal of money lent, Hor. Epod. 2. Sat. i. 6 ; and Catiline's creditors were growing importunate. Muret. explains it of the ides of November, on which day Cicero had proposed the 'Tabulæ auctionariæ,' Cat. ii. 8, by which he should be obliged to sell all his estates to satisfy his creditors. But the former seems to be the better interpretation.

8. *Difficultatem*] 'Απορίαν, ἀμνηστειαν. Muret. We say, in the same way, 'pecuniary difficulties.'

9. *Summam remp.*] Al. reip.—

'Summa resp.' means the safety of the whole republic.

10. *Pridie Kal. Jan.*] Introd. Sall. Cat. 18. This is usually called the first conspiracy. It arose from the disappointed ambition of Autronius and Sulla, the consuls elect, who being turned out of office for bribery, joined Catiline, then accused by Clodius, in a plot to murder Cotta and Torquatus, who had been appointed consuls in their room. This took place about the fifth of December, and on the first of January, when the consuls met in the comitium, to make the usual retiring addresses to the people, Catiline attended in arms. According to Suetonius's most improbable account, (Jul. 9,) the defection of Crassus and Cæsar caused the execution of the plot to be deferred to the fifth of February ; and it was finally frustrated by Catiline's prematurely giving the signal for slaughter.

11. *Telo*] Mil. 24. n. 25, and for 'comitium,' Manil. 15. n. 7.

12. *Post commissa*] His after offences. Al. non multo postea, which is rather obscure. Cicero gives two reasons for omitting the detail of the first conspiracy. 1. It was well-

parva quadam declinatione, et, ut aiunt, corpore¹³ effugi! Nihil agis, nihil assequeris, [nihil moliris:]¹⁴ neque tamen conari ac velle desistis. Quoties jam tibi extorta est sica ista de manibus? quoties vero excidit casu aliquo¹⁵ et elapsa est? [tamen ea carere diutius non potes:] quæ quibus abs te initiata sacris¹⁶ ac devota sit, nescio, quod eam necesse putas consulis in corpore defigere.

VII. Nunc vero, quæ tua est ista vita? Sic enim jam tecum loquar, non ut odio permotus esse videar, quo debeo, sed ut misericordia, quæ tibi nulla debetur. Venisti paullo ante in senatum.¹ Quis te ex hac tanta frequentia, tot ex tuis amicis ac necessariis salutavit?² Si hoc post hominum memoriam³ contigit nemini, vocis expectas contumeliam, quum sis gravissimo iudicio taciturnitatis oppressus? Quid? quod adventu tuo ista subsellia⁴ vacuefacta sunt? quod omnes consulares, qui tibi persæpe ad cædem constituti fuerunt, simul atque assedisti, partem istam subselliorum nudam atque inanem reliquerunt? Quo tandem animo hoc tibi ferendum putas? Servi mehercle mei si me isto pacto metuerent, ut te metuunt omnes cives tui, domum⁵ meam relinquendam

known; 2. there was no lack of subsequent crimes: e. g. attempting his (Cicero's) own life. 'Illa' from the preceding sentence is subject to 'sunt.'

13. Quot—petitiones—corpore] Gladiatorial terms. So *Æn.* v. 438. Corpore tela modo atque oculis vigilantibus exit.

14. [Nihil moliris] These words, bracketed by Orel., are not found in all MSS. Al. insert here, *quod mihi latere valeat in tempore*, which, besides being an unusual construction of 'lateo,' are not found in some MSS. 'In tempore' is ἐν καιρῷ, at the due time.

15. Excidit casu aliquo] Supr. Fortunam reip. obstitisse.

16. Initiata sacris] The 'sica' was consecrated for the purpose of sacrificing the victim. Cicero insinuates that Catiline's dagger was so dedicated, and his victims the consuls. 'Consulis' then alludes to Cotta and

Torquatus as well as Cicero.

SECT. VII.—1. Venisti—in senatum] Sall. Cat. 31.

2. Quis salutavit] Cat. ii. 6. 'Quis senator eum appellavit? quis salutavit? quis, &c.'

3. Post hominum memoriam] 'In the memory of man;' i. e. as far back as any records reach. It is often applied to time in general. Off. ii. 3. 'Cratippus princeps hujus memoriæ philosophorum,' of this age. Arch. 1. n. 7. Mil. 28. n. 18.

4. Subsellia] ('Sub—sella') so called in contra-distinction to the 'curulis sella;' for, we learn from Ascon. that they were occupied by the minor magistrates. Hence the word is applied to the senatorial benches, which bore a similar relation to the consul's chair.

5. Servi—domum] This is very emphatic, as if he said: 'If my slaves, whose lord I am, and whose fear of me ought to be the most abject,

putarem : tu tibi urbem non arbitraris ? et si me meis civibus injuria⁶ suspectum tam graviter atque offensum viderem ; carere me adspectu civium, quam infestis oculis omnium conspici mallet : tu, quum⁷ conscientia scelerum tuorum agnoscas odium omnium justum et jam tibi diu debitum, dubitas, quorum mentes sensusque⁸ vulneras, eorum adspectum præsentiamque vitare ? Si te parentes⁹ timerent atque odissent tui, neque eos ulla ratione placare posses ; ut opinor, ab eorum oculis aliquo concederes : nunc te patria, quæ communis est omnium nostrum parens, odit ac metuit, et jamdiu te¹⁰ nihil judicat, nisi de parricidio suo cogitare. Hujus tu neque auctoritatem verebere, neque judicium sequere, neque vim pertimesces ? [Quæ tecum,¹¹ Catilina, sic agit,¹² et quodam modo tacita loquitur : “ Nullum aliquot jam annis¹³ facinus exstitit, nisi per te : nullum flagitium sine te : tibi uni multorum civium nece¹⁴, tibi vexatio direptioque sociorum¹⁵ impunita fuit ac libera : tu non solum ad negligendas leges et quæstiones, verum etiam ad evertendas perfringendasque¹⁶ valuisti. Superiora illa, quamquam ferenda¹⁷ non fuerunt, tamen, ut potui, tuli : nunc vero me totam esse in

dreaded me, as your fellow-citizens, who owe you no duty, do you, I should abandon my house, my home, my undoubted property. Will not you ; then leave the city over which you have no claim, &c., &c.’

6. *Injuria*] Undeservedly.

7. *Tu quum, &c.*] *A fortiori*—should you, deservedly odious to your citizens, shun their sight.

8. *Sensus*] *Oculos. Manut.*

9. *Si te parentes*] Cicero had illustrated the necessity of Catiline’s departure from the city, 1. by the case of a master and his slaves ; 2. by the instance of unjust resentment in one’s fellow-citizens. Now he urges the dislike of parents to a child, which drives the child from under the paternal roof : so ought the hatred of our country, the general parent, cause the exile of Catiline. [Demos., however, makes our country the child of all. Phil. iv. 10.]

10. *Jamdiu te*] i. e. ‘Te cogitare nihil nisi, &c.’ Al. *de te* ; which ap-

pears to be the reading of all MSS. Lambinus first omitted the preposition, in which he has been followed by other editors.

11. *Quæ tecum*] Προσωποποιία, or personification. Muret. supposes it imitated from the Crito of Plato, who there introduces the laws speaking. Inf. 11. Quint., ix. 2, remarks of this figure ‘Mire quum variant orationem, tum excitant . . . Urbes etiam populi que vocem accipiunt.’

12. *Agit*] Pleads with.

13. *Aliquot jam annis*] Perhaps from his quæstorship, A. U. 676.

14. *Multorum—nece*] In the proscriptions of Sylla. Introd. 2.

15. *Sociorum*] He means the Africans. Introd. 2.

16. *Negligendas—perfringen.*] He ‘neglected’ the laws by committing crimes ; and ‘broke through them,’ by evading their penalty ; e. g. by the prevarication of Clodius. Introd. 2.

17. *Quamquam ferenda*] Similarly to Terentia, he writes ‘Cetera, quam-

metu propter te unum: quidquid increpuerit,¹⁸ Catilinam timeri: nullum videri contra me consilium iniri posse, quod a tuo scelere abhorreat; non est ferendum. Quamobrem discede, atque hunc mihi timorem eripe: si est verus, ne opprimar; sin falsus, ut tandem aliquando timeri desinam.”

VIII. Hæc si tecum, ut dixi, patria loquatur, nonne impetrare debeat, etiam si vim adhibere¹ non possit? Quid? quod tu te ipse in custodiam² dedisti? quid? quod, vitandæ suspicionis causa, apud M. Lepidum³ te habitare velle dixisti? a quo non receptus, etiam ad me venire ausus es, atque, ut domi meæ te asservarem, rogasti. Quum a me quoque id responsum tulisses, me nullo modo posse iisdem parietibus tuto esse tecum, qui magno in periculo essem, quod iisdem mœnibus contineremur; ad Q. Metellum⁴ prætorem venisti. A quo repudiatus, ad sodalem tuum, virum optimum,⁵ M. Marcellum⁶ demigrasti: quem tu videlicet et ad custodiendum te diligentissimum, et ad suspicandum sagacissimum, et ad vindicandum fortissimum fore putasti. Sed quam longe videtur a carcere⁷ atque a vinculis abesse debere, qui se ipse jam dignum custodia judicavit? Quæ quum ita sint, Catilina, dubitas, si emori æquo animo non pōtes,⁸ abire in aliquas terras, et vitam istam, multis suppliciis justis debitisque ereptam, fugæ solitudinique mandare?⁹

quam ferenda non sunt, feramus.’—*Manut.*

18. *Quid. increp.]* ‘Quidquid increpuiisset pertimescentem.’ Pis. 41. A metaphor taken from timid persons started by the slightest noise. *V. E.*

SECT. VIII.—1. *Vim adhibere]* Hor. Od. iii. 28. 4.

2. *Custodiam]* Sc. ‘liberam;’ into the keeping of some private person.

3. *M. Lepidum]* Consul with Volcatius, A. U. 687.

4. *Q. Metellum]* Sc. Celerem.—Sall. Cat. 30. Q. Metellus Celer, prætor, in agrum Picenum missus est. He was consul two years after with L. Afranius.

5. *Virum optimum]* Said ironically. Quint. ix. 2, introduces it to exemplify irony as a ‘trope’ or figure of diction; distinct from irony, a ‘scheme’ or figure of thought.

6. *M. Marcellum]* This Marcus is,

of course, different from the ‘fortissimo viro,’ infr., whom Cic. afterwards defended. The Delph. thinks otherwise. He had a son, Caius, a conspirator, whom Sextius expelled from Capua. Sext. 4. Both were engaged in the conspiracy. ‘Sodalem,’ a ‘boon-companion;’ a *unà-sedeo*.

7. *Carcere]* Qu. ‘Co-arcer,’ a ‘co-arcerere.’

8. *Si emori—potes]* ‘If you cannot bear to die.’ He had shown (c. 6,) that Catiline could no longer live at Rome (Potestne hæc lux, &c.). The only alternative was death or exile. And he hints, that if he remained at Rome, he might prepare for death. Grav. supposes ‘self-murder,’ but that was not to be expected from Catiline. Ern. prefers *morari* as better opposed to *abire*.

9. *Fugæ—mandare]* ‘Mandare fugæ’—profugere; ‘mandare solitudini’

“Refer,”¹⁰ inquis, “ad senatum:” id enim postulas; et, si hic ordo placere sibi decreverit, te ire in exsilium, obtemperaturum te esse dicis. Non referam, id quod abhorret a meis moribus: et tamen faciam, ut intelligas,¹¹ quid hi de te sentiant. Egredere ex urbe, Catilina: libera rempublicam metu: in exsilium, si hanc vocem exspectas, proficiscere.¹² Quid est, Catilina? ecquid attendis, ecquid animadvertis horum silentium? Patiuntur; tacent. Quid exspectas auctoritatem loquentium, quorum voluntatem tacitorum perspicis? At si hoc idem huic adolescenti optimo, P. Sextio,¹³ si fortissimo viro, M. Marcello, dixissem: jam mihi consuli, hoc ipso in templo,¹⁴ jure optimo senatus vim et manus intulisset. De te autem, Catilina, quum quiescunt, probant: quum patiuntur, decernunt: quum tacent, clamant. Neque hi solum, quorum tibi auctoritas est videlicet cara, vita vilissima: sed etiam illi equites¹⁵ Romani, honestissimi atque optimi viri, ceterique fortissimi cives, qui circumstant senatum, quorum tu et frequentiam videre, et studia perspicere, et voces paullo ante exaudire potuisti. Quorum ego vix abs te jamdiu manus ac tela contineo: eosdem facile adducam, ut te hæc, quæ jampridem vastare studes, relinquentem, usque ad portas prosequantur.¹⁶

IX. Quamquam¹ quid loquor? te ut ulla res fraugat? tu ut unquam te corrigas? tu ut ullam fugam meditare? tu ut ullum exsilium cogites? Utinam² tibi istam mentem dii immortales duint! tametsi video, si mea voce perterritus ire in exsilium animum induxeris, quanta tempestas invidiæ no-

fugere hominum societatem. *Delph.*

10. *Refer*] For the consul generally proposed the decrees.

11. *Ut intelligas*] Namely, by their silence. ‘Patiuntur; tacent.’

12. *Proficiscere*] Here Cic. may be supposed to make a pause, waiting to see if Catiline would depart.—*V. E.*

13. *P. Sextio*] He was now the quæstor of C. Antonius, Cicero’s colleague; and was afterwards defended by Cicero. *Vid. Sext.*

14. *Hoc—templo*] Of Jupiter Stator. *Supr. 5. n. 4.*

15. *Sed etiam illi equites, &c.*] Sc. intimate that they wish you to go into

exile.

16. *Prosequantur*] It was an ancient custom to *convoy* to the gates or bounds of the country, persons going into exile. *Cat. ii. 1.* Egredientem urbe prosecuti sumus. In Greek they said *προπέμπειν*. *Eurip. Hippolyt. 1102. Muret.*

SECT. IX.—1. *Quamquam, &c.*] A correction. He knew it was a waste of words to expect Catiline to go into exile.

2. *Utinam, &c.*] For the ancients thought that the gods inspired men with various passions and designs, whether good or bad. *Mil. 33.* Illic dii mentem dederunt illi perditio ut

bis, si minus in præsens tempus,³ recenti memoria scelerum tuorum, at in posteritatem impendeat. Sed est mihi tanti;⁴ dummodo ista privata sit calamitas, et a reipublicæ periculis sejungatur. Sed tu⁵ ut vitiis tuis commoveare, ut legum poenas pertimescas, ut temporibus reipublicæ concedas, non est postulandum. Neque enim is es, Catilina, ut te aut pudor a turpitudine, aut metus a periculo, aut ratio a furore revocarit. Quamobrem, ut sæpe jam dixi, proficiscere: ac, si⁶ mihi inimico, ut prædicas, tuo conflare vis invidiam; recta⁷ perge in exsilium: vix feram⁸ sermones hominum, si id feceris: vix molem istius invidiæ, si in exsilium ieris jussu consulis, sustinebo. Sin autem servire meæ laudi et gloriæ mavis; egredere cum importuna sceleratorum manu: confer te ad Mallium:⁹ concita perditos cives: secerne te a bonis: infer patriæ bellum; exsulta impio latrocinio,¹⁰ ut a me non ejectus ad alienos, sed invitatus ad tuos isse videaris. Quamquam quid ego te invitem, a quo jam sciam esse præmissos, qui tibi ad Forum Aurelium¹² præstolarentur¹³ armati? cui sciam pactam et constitutam esse cum Mallio diem? a quo etiam aquilam illam¹⁴ argenteam, quam tibi ac tuis omnibus perniciosam esse confido et funestam futuram, cui domi tuæ

huic faceret insidias. 'Duint' antique *pro dent*.

3. *In præsens tempus*] For 'præsenti tempore.' So Manil. 12. 'in prædonum potestatem.'

4. *Est mihi tanti*] Al. *Est tanti*. 'It is of small importance, &c.' *Forcel*. But the negative is generally added. Mil. 22. 'Id non est tanti, &c.' V. E. turns it: 'Still your exile will be so far of service.' But this is not so obvious. Hor. A. P. 304.

5. *Sed tu, &c.*] Refer the three following clauses each to its appropriate source, which Cic. subjoins; sc. 'pudor—metus—ratio.'

6. *Ac si mihi, &c.—Sin autem, &c.*] He shows by a dilemma that Catiline ought to go into exile. 'Whether you wish to injure or serve my fame, you ought to go.'

7. *Recta*] Sc. via. Palair. Ellips. 315. V. E.

8. *Vix feram*] Ironical; and 'ser-

mones,' as Muret. remarks, taken 'in malam partem;' the censorious observations.

9. *Mallium*] Supr. c. 3. n. 8.

10. *Latrocinio*] Rebellion. 'Impio,' as being against 'patria ejus, communis omnium parens.'

12. *Forum Aurelium*] A market-town of Etruria, so called from its founder Aurelius, supposed to be the same who made the Aurelia Via from Rome to Pisæ.

13. *Præstolarentur*] From 'præsto,' qu. 'præstulo'—to be ready for—wait for; scil. to accompany you to Fesulæ.

14. *Aquilam illam*] As in auguries the flight of the eagle was held the most auspicious, so it became the standard of the Roman legion. It was usually made of silver, with wings expanded, and holding a thunder-bolt in its talons. Of this eagle, Sallust, Cat. 59, says 'quam bello Cimbrico C. Marius in exercitu habuisse dice-

sacrarium¹⁵ scelerum tuorum¹⁶ constitutum fuit, sciam esse præmissam? Tu ut illa diutius carere possis, quam venerari, ad cædem proficiscens, solebas? a cujus altaribus sæpe istam impiam dexteram ad necem civium transtulisti?

X. Ibis tandem aliquando,¹ quo te jampridem tua ista cupiditas effrenata ac furiosa rapiebat.² Neque enim tibi hæc res³ affert dolorem, sed quandam incredibilem voluptatem. Ad hanc te amentiam natura peperit, voluntas exercuit, fortuna servavit. Nunquam tu non modo⁴ otium, sed ne bellum quidem, nisi nefarium concupisti. Nactus es ex perditis,⁵ atque ab omni non modo fortuna, verum etiam spe derelict-

batur.'

15. *Sacrarium*] Muret. here quotes Dio Cassius's description of a species of eagle, with a portable temple as a covering, which the Roman legions sometimes had for their ensign, and applies it to the eagle of Catiline.—But it is evident that the 'sacrarium' here meant, was quite distinct from the portable *νεῶς μικρὸς* of Dio; as it contained 'altaria,' at which Catiline offered sacrifices to the eagle as a deity. Forcel. quotes this passage under the examples of a metaphorical use of 'sacrarium.' But there seems to be no reason for doubting the actual erection of a chapel to the eagle. So Virg. Georg. iv. 542. Quatuor his aras alta ad delubra decorum *Constitue*.

16. *Scelerum tuorum*] These words appear harsh, because the 'sacrarium' being in honour of the eagle, we should hardly expect it to be anything more; whereas it served the double purpose of a shrine to preserve the eagle, and an altar for Catiline, at which to practise his impieties. To another person, indeed, the 'sacrarium' would be one 'sacrorum,' not 'scelerum.' So, Cat. ii. 11. 'Scelus' is opposed to 'pietas.' 'Hinc pietas (pugnat); illinc scelus.' Inf. ii. 6.

SECT. X.—1. *Tandem aliquando*] Et ad tarditatem et ad difficultatem indicandam valet. Muret. We say,

'at long and last.' Cat. ii. 1.

2. *Tua ista—rapiebat*] Vid. supr. 1. n. 7, on the reiteration of a.

3. *Hæc res*] Bellum contra patriam. *Manut.*

4. *Non modo*] As usual, for 'non modo non;' being followed by 'ne quidem.' As *non* is sometimes expressed, sometimes omitted, Doctor Hunter was led to investigate the principle on which this variety depended, and has laid down the following rules: 1. 'When the same circumstance is meant to be denied in both clauses, and its name placed after 'ne quidem,' *non* may be omitted.' Thus here the common circumstance is, as usual, contained in the verb. 2. 'When both clauses are negative, denying *not* a common circumstance, but each clause a separate and distinct one, the second negative is necessary.' Liv. iv. 3.—'Non modo *non* patricium sed ne civem quidem Romanum, &c.;' v. 38. 'Non modo *non* tentato certamine, sed ne clamore quidem reddito.'—Zumpt, c. 83, merely says, that if the verb is inserted in the first proposition, the negative will be also. But it often happens there is no verb, e. g. Liv. i. 40. 'Non modo civiæ, sed ne Italicæ quidem stirpis.' Hunter's principle is therefore more general. Vid. his notes on Livy.

5. *Ex perditis, &c.*] The construction is, 'Conflatam ex perditis et ex

tis, conflata improborum manum. Hic tu qua lætitia perficere? quibus gaudiis exsultabis? quanta in voluptate bacchabere, quum in tanto numero⁶ tuorum neque audies virum bonum quemquam, neque videbis? Ad hujus vitæ⁷ studium meditati illi sunt,⁸ qui feruntur,⁹ labores tui: jacere humi non modo ad obsidendum stuprum,¹⁰ verum etiam ad facinus obeundum: vigilare non solum insidiantem somno maritorum,¹¹ verum etiam bonis occisorum. Habes, ubi ostentes illam præclaram tuam patientiam¹² famis,¹³ frigoris, inopiæ rerum omnium; quibus¹⁴ te brevi tempore confectum esse senties. Tantum profeci tum, quum te a consulatu repuli,¹⁵ ut exsul potius tentare, quam consul vexare rempublicam posses: atque ut id, quod esset a te scelerate susceptum, latrocinium potius, quam bellum¹⁶ nominaretur.

XI. Nunc, ut a me, Patres conscripti, quandam prope

derelictis ab omni fortuna——*ab omni spe.* So Cæs. B. G. iii. 13.—‘*Naves ab æstu derelictæ.*’ The description agrees with Sallust’s account, Cat. 21. Quibus mala omnia abunde erant, sed neque res neque spes bona ulla.

6. *Quum in tanto numero, &c.*] i. e. When you will be completely freed from the presence of a good man, which you ever held the greatest annoyance.

7. *Ad hujus vitæ, &c.*] In one MS. the prepos. is omitted, and could well be spared. V. E.

8. *Meditati—sunt*] The perfect of this verb is often passive, as here.

9. *Qui feruntur*] Ad gloriam tuam narrantur. Manut. So Arch. 9. ‘*Nostra semper feretur et prædicabitur, &c.*’ Similarly inf. ii. 5. ‘*Stuprorum et scelerum exercitatione aseu factus—fortis ab istis prædicabatur.*’

10. *Obsidendum stuprum*] Watch an opportunity to commit. Ov. Amor. i. 9. 25. ‘*Nempe maritorum somnis utuntur amantes.*’ This was a common practice; but Catiline extended it from amours to murder and robbery.

11. *Insidiantem—maritorum*] This answers to ‘*ad obsidendum stuprum*’ preceding; and ‘*insidiantem bonis occisorum*’ to ‘*ad facinus obeundum.*’ Græv. asks, who are the ‘*occisi,*’ and prefers ‘*otiosorum;*’ i. e. ‘*of the peaceably disposed.*’ But Cic. means that ‘*ad facinus obeundum*’ was not merely ‘*insidiari bonis,*’ ‘*but insidiari bonis eorum quos prius occiderat.*’ He first murdered, and then robbed his victims.

12. *Illam præclaram tuam patientiam*] Manut. conceives that Cic. intimates his extreme contempt for Catiline’s *patience*, by these terminations. So Muren. 9. Operarum harum quotidianarum putat esse consulatum.

13. *Famis, &c.*] Sall. Cat. 5.—*Corpus inediæ patiens, alioris, vigiliæ, supra quam cuiquam credibile sit.* Cat. ii. 5.

14. *Quibus*] Sc. ‘*fame, frigore, &c.*’

15. *A consulatu repuli*] This may allude to Catiline’s suit *along with* Cicero, wherein by his orat. in Tog. Cand. he mainly contributed to the defeat of Catiline; or to a subsequent time, when Catiline, during the con-

justam patriæ querimoniam detester¹ ac deprecet : percipite, quæso, diligenter, quæ dicam, et ea penitus animis vestris mentibusque mandate. Etenim, si mecum patria, quæ mihi vita mea multo est carior ; si cuncta Italia ; si omnis res-publica loquatur :² “ M. Tulli, quid agis ? tune eum, quem esse hostem comperisti, quem ducem belli futurum vides, quem exspectari imperatorem in castris hostium sentis, auctorem sceleris, principem conjurationis, evocatorem³ servorum⁴. et civium perditorum, exire pati, ut abs te non emissus ex urbe, sed immissus⁵ in urbem esse videatur ? non hunc in vincula duci, non ad mortem rapi, non summo supplicio mactari⁶ imperabis ? Quid tandem impedit⁷ te ? Mosne majorum ? At persæpe⁸ etiam privati in hac republica perniciosos cives morte multarunt. An leges,⁹ quæ de civium Romanorum supplicio rogatæ sunt ? at nunquam in hac urbe ii, qui a republica defecerunt, civium jura tenuerunt. An invidiam posteritatis times ? Præclaram vero

sulate of Cicero, attempted to stand for the consulship. Ern. prefers the latter, as ‘repello’ is not applicable to a competitor. Sall. Cat. 26. Postquam dies comitiorum venit et Catilinæ neque *petitio* neque *insidiæ* quas *consuli* fecerat, &c. It is easy to conceive how Cic. may, by his authority and influence, have prevented his election. V. E. notices an opinion that a paronomasia is designed in ‘exsul—consul.’

16. *Latrocinium—bellum*] Cicero intimates, that if Catiline had been elected consul, his attempt might have been dignified with the appellation of ‘bellum.’ As it was, it claimed to be no better than ‘latrocinium,’ or a marauding expedition. A magistrate only could proclaim war.

SECT. XI.—1. *Detester*] 1. To invoke ; 2. invoke *against*, curse ; 3. invoke to depart *from*, to deprecate, as here.

2. *Patria—loquatur*] Supr. 7. n. 11.

3. *Evocatorem*] We say ‘recruiting-officer, enlist.’

4. *Servorum*] Yet Catiline after-

wards rejected the slaves. Sall. Cat. 63.

5. *Emissus—immissus*] Quint. ix. 3. notices this instance of paronomasia.

6. *Mactari*] From ‘macte,’ an interjection made use of at sacrifices, when the offering was made, and which is found in all cases, came ‘mactus,’ appeased or honoured.—Hence ‘mactare,’ to appease with an offering, to sacrifice to. *Æn.* iv. 57. ‘Mactant lectas de more bidentes.’ Hence ‘to honour, augment, &c. ;’ and when followed by ‘supplicio, morte, &c.’—to load with—i. e. to punish. Inf. 13. ‘Æternis suppliciiis mactabis.’ Harusp. 20.

7. *Quid tandem impedit*] Cicero, arguing disjunctively, shows that neither precedent, nor laws, nor the dread of future obloquy, forbade the punishment of Catiline.

8. *At persæpe, &c.*] e. g. Scipio Nasica, a private man, slew Tib. Gracchus. A *fortiori*, Cic., the consul, may slay Catiline. Supr. 1. n. 26. Pro Dom. 34.

9. *An leges*] Sc. the Valerian,

populo Romano refers gratiam,¹⁰ qui te, hominem per te cognitum,¹¹ nulla commendatione majorum,¹² tam mature¹³ ad summum imperium¹⁴ per omnes honorum gradus¹⁵ extulit, si propter invidiam, aut alicujus periculi metum, salutem civium tuorum negligis. Sed, si quis¹⁶ est invidiæ metus: num est vehementius severitatis ac fortitudinis invidia, quam inertiae ac nequitiae pertimescenda? An, quum bello vastabitur Italia, vexabuntur urbes, tecta ardebunt, tum te non existimas invidiæ incendio conflagraturum?"

XII. His ego sanctissimis reipublicæ vocibus, et eorum hominum, qui idem sentiunt, mentibus pauca respondebo.¹ Ego, si hoc optimum factum judicarem, Patres conscripti, Catilinam morte multari: unius usuram horæ gladiatori² isti ad vivendum non dedissem. Etenim, si summi viri³ et clarissimi cives, Saturnini, et Gracchorum, et Flacci, et superiorum complurium sanguine non modo se non contaminarunt, sed etiam honestarunt: certe mihi verendum non erat, ne quid, hoc parricida civium⁴ interfecto, invidiæ mihi in posteritatem⁵ redundaret. Quod si ea mihi maxime impenderet: tamen hoc animo semper fui, ut invidiam virtute par-

Porcian, Sempronian. Sall. Cat. 53. For *Romanorum* many MSS. give *re-orum*.

10. *Præclaram*—*refers gratiam*] You make a fine return.

11. *Per te cognitum*] Sc. a 'novus homo,' or man who was the first in his family to hold a curule magistracy. Sall. Cat. 23. Brut. 25.

12. *Nulla*—*majorum*] No ancestral images. Sall. Jug. 85.

13. *Tam mature*] For Cic. obtained all the offices of the state 'suo anno.' Agr. ii. 2. Mil. 9. n. 6.

14. *Summum imperium*] The consulship; for the dictatorship, as being an extraordinary magistracy, was not reckoned.

15. *Omnes*—*gradus*] Quæstorship, ædileship, prætorship.

16. *Sed si quis, &c.*] But admitting your fears of your country's hatred, does not that hatred fall as much on the supine as the severe minister? Therefore do not spare Catiline.

SECT. XII.—1. *Pauca respondebo*] Cicero's short reply is this: 'If I thought it for my country's good, that Catiline should die, no dread of consequences should prevent me from punishing him with death. But I think it better to let him escape, as this will rid the city of all his ruffian train.'

2. *Gladiatori*] 1. A sword-cutler; 2. a sword-fighter, and, owing to the infamous character of gladiators, 3. it was synonymous with 'sicarius,' or assassin. Phil. vi. 7. The emperor Constantine first abolished the use of them, and finally Honorius.

3. *Summi viri*] Sc. Marius, Nasica, Opimius, &c. Mil. 3.

4. *Parricida civium*] 'Fraterno parricidio,' Cluent. 11. 'Parricida liberum,' Liv. iii. 50. These terms are applied to such crimes, when any special duty is besides violated. Ern. V. E.

5. *Invidiæ—in posteritatem*] Supr.

tam, gloriam, non invidiam putarem. Quamquam nonnulli sunt in hoc ordine, qui aut ea, quæ imminent, non videant, aut ea, quæ vident, dissimulent: qui spem Catilinæ⁶ mollibus sententiis aluerunt, conjurationemque nascentem non credendo corroboraverunt:⁷ quorum auctoritatem secuti multi, non solum improbi, verum etiam imperiti, si in hunc animadvertissem,⁸ crudeliter et regie factum esse dicerent. Nunc intelligo, si iste, quo intendit, in Malliana castra pervenerit, neminem tam stultum fore, qui non videat conjurationem esse factam, neminem tam improbum, qui non fateatur. Hoc autem uno interfecto, intelligo hanc reipublicæ pestem paullisper reprimi, non in perpetuum comprimi¹⁰ posse. Quod si se ejecerit, secumque suos eduxerit, et eodem ceteros undique collectos naufragos¹¹ aggregaverit: extinguetur atque delebitur non modo hæc tam adulta reipublicæ pestis, verum etiam stirps ac semen¹² malorum omnium.

XIII. Etenim jamdiu,¹ Patres conscripti, in his periculis conjurationis insidiisque versamur: sed, nescio quo pacto,² omnium scelerum ac veteris furoris et audaciæ maturitas in nostri consulatus tempus erupit.³ Quod si ex tanto latroci-

11. Invidiam posteritatis times?

6. *Spem Catilinæ*] The Delph. says, 'de occupando consulatu'; rather 'de occupanda republica.' Sall. Cat. 5. 'Lubido maxima—reip. capiendæ.'

7. *Aluerunt — nascentem — corroboraverunt*] A metaphor perhaps from rearing the young of animals.

8. *Animadvertissem*] Sc. supplicio. Palaiet, Ellips. 290.

9. *Regie*] At Rome synonymous with 'tyrannically.' Phil. ii. 32.—'Quem negant regem,' i. e. tyrannum. He is speaking of Cæsar.

10. *Reprimi—comprimi*] Quint. ix. 3, notices this as an example of an elegant paronomasia, 'quod positum est in distinguendam rei proprietatem;' sc. that 'reprimi' is temporary; 'comprimi' permanent.

11. *Naufragos*] 1. Persons having suffered shipwreck; 2 having shipwrecked their property; bankrupts,

&c.

12. *Extinguetur—semen*] The metaphors here appear to be mixed.—However, 'extinguo' importing 'to destroy life,' may well apply to *adulta pestis*; while 'deleo,' i. e. 'de-oleo' (or *olesco*) is nearly related to 'stirps' and 'semen.' V. E. well remarks: Never was adventured a more unfortunate prediction! Great and immediate evil befell Cicero, himself; the liberties and constitution of his country, in the event, were sacrificed.

SECT. XIII.—1. *Jamdiu*] From the consulship of Tullus and Lepidus, A. V. 687.

2. *Nescio quo pacto*] I know not how it is.

3. *Maturitas—erupit*] Mil. 23. n. 15. 'Erumpo' well applies to the bursting forth of a full harvest. Virg. Georg. i. 50, somewhat differently, says—'ruperunt horrea messes.'

nio⁴ iste unus tolletur ; videbimur fortasse ad breve quoddam tempus cura et metu esse relevati : periculum autem residabit, et erit inclusum penitus in venis⁵ atque in visceribus reipublicæ. Ut sæpe homines ægri morbo gravi, quum æstu febrique jactantur, si aquam gelidam biberint, primo relevari videntur ; deinde multo gravius vehementiusque affligantur ; sic hic morbus, qui est in republica, relevatus istius pœna, vehementius, vivis reliquis, ingravescet. Quare, Patres conscripti, secedant improbi, secernant se a bonis, unum in locum congregentur, muro denique, id quod sæpe jam dixi, secernantur a nobis, desinant insidiari domi suæ consuli,⁶ circumstare tribunal prætoris urbani,⁷ obsidere cum gladiis curiam, malleolos⁸ et faces ad inflammandam urbem comparare ; sit denique inscriptum in fronte uniuscujusque, quid de republica sentiat.⁹ Polliceor hoc vobis, Patres conscripti, tantam in nobis consulibus fore diligentiam, tantam in vobis auctoritatem, tantam in equitibus Romanis virtutem, tantam in omnibus bonis consensionem, ut Catilinæ profectione omnia patefacta, illustrata, oppressa, vindicata esse videatis.

Hisce ominibus,¹⁰ Catilina, cum summa reipublicæ salute et cum tua peste ac pernicië, cumque eorum exitio, qui se

4. *Ex tanto latrocinio*] i. e. Latronum cohorte. *Sch. Off.* ii. 11. 'Is sibi, ne in latrocinio quidem, relinquit locum.'

5. *Periculum—in venis*] The conspiracy is here compared to a fever. The patient is the republic ; and the punishment of Catiline—the cold water.

6. *Consuli*] Alluding to the two Roman knights, *supr.* 4, or as *Salust. Cat.* 28, C. Cornelius, and L. Vargunteius.

7. *Prætoris urbani*] L. Valerius Flaccus. *Sall. Cat.* 45. Flacc. 1. Along with him were in office Q. Pompeius Rufus, Q. Metellus Celer, C. Pomptinus, Lentulus Sura, and some others. 'Circumstare' alludes to the intimidation used to prevent him from condemning the Catilinarian debtors.

8. *Malleolos*] *Mil.* 24. n. 9.

9. *Sit denique—quid de republica sentiat*] The favourers of Catiline, when in danger, will disclose their apprehensions by their countenances ; the friends of their country will show opposite emotions. *V. E.*

10. *Hisce ominibus*] Cic. usually omits the prep. *cum* in this expression, which Livy inserts. 'Cum bonis potius ominibus, &c.' *Præf. ad Hist.* 'Hisce' refers to the preceding sentence, as if he said : 'With these omens of your country's weal and the fate of yourself and party, (deducible from the extraordinary diligence of the consuls, &c., which, I warn you, will end in putting down and punishing your wicked attempt,) go to, &c.' 'Cum summa reip., &c.,' is only a fuller statement of 'hisce ominibus,' and a superstitious Roman

tecum omni scelere parricidioque junxerunt, proficiscere ad impium bellum ac nefarium.¹¹ Tum¹² tu, Jupiter, qui iisdem, quibus hæc urbs, auspiciis¹³ a Romulo es constitutus; quem Statorem hujus urbis atque imperii vere¹⁴ nominamus: hunc et hujus socios a tuis aris ceterisque¹⁵ templis, a tectis urbis ac mœnibus, a vita fortunisque civium omnium arcebis: et omnes inimicos bonorum, hostes patriæ, latrones Italiæ, scelerum fœdere inter se ac nefaria societate conjunctos, æternis suppliciis vivos mortuosque mactabis.¹⁶

would readily deduce a bad omen from such words, so solemnly pronounced.

11. *Impium—nefarium*] Referring to 'scelere parricidioque,' preceding; and 'parricidium' to the filial relation in which Catiline stood to his country.

12. *Tum*] This particle was used with peculiar emphasis in prayers, oaths, and treaties. *Mure.*

13. *Iisdem, quibus—auspiciis*] Though Romulus, on founding the city, instituted sacred rites 'Diis aliis Albano ritu; Græco, Herculi,' yet we have no account of his having built any temple to Jupiter, before the

one to Jupiter Feretrius on his gaining the 'spolia opima;' which was soon followed by another to Jupiter Stator, to which Cic. perhaps alludes. Its dedication was so early that he may be excused from making it contemporaneous with the foundation of the city. Liv. i. 7. 10. 12. Supr. 5. n. 4.

14. *Vere*] It was no idle appellation.

15. *Aris ceterisque*] For 'templum' was the *genus* comprehending all inaugurated places, whether sacrifices were offered in them or not.

16. *Mactabis*] Supr. 10. n. 6.

M. TULLII CICERONIS

IN

LUCIUM CATILINAM,

SECUNDA*

AD QUIRITES

ORATIO.

I. TANDEM aliquando,¹ Quirites, L. Catilinam, furem audacia,² scelus anhelantem, pestem patriæ nefarie molientem, vobis atque huic urbi ferrum flammamque minitantem, ex urbe vel ejecimus,³ vel emisimus, vel ipsum egredientem verbis prosecuti sumus.⁴ Abiit,⁵ excessit, evasit, erupit. Nulla

* Vid. Introd. 5.

SECT. I.—1. *Tandem aliquando*] As the most effectual way to conciliate the people, Cic. begins his speech with the difficulty which he encountered in effecting the removal of Catiline from the city, and the danger from which it was thereby freed. This naturally led him to a justification of his conduct in letting Cat. escape. Introd. 5.

2. *Furem audacia*] Muret. here remarks, that as audacity produces a species of madness, so madness, by distending the breast and lungs, causes a thick breathing or panting.—Hence ‘*anhelantem scelus*’; and as this will show itself in acts, he adds, ‘*pestem—molientem, &c.*’

3. *Ejecimus*] ‘*Ejicio*’ is applied to

an unwilling departure; for Catiline had first to take off Cic.; ‘*emitto*’ to a willing; for the discovery of his plans did not permit him to stay; but in both, the cause is extrinsic. Another supposition is ‘*egredi*’—that he left the city of his own accord, as wishing to be with Mallius. Muret. Hence ‘*ipsum*’ is used, i. e. ‘*sua sponte*,’ like *αὐτὸς* in Greek.

4. *Prosecuti sumus*] We accompanied him on his departure with our maledictions, but we made no use of force. ‘*Verbis*’ refers to ‘*hisce omnibus*’ in the end of the preceding oration.

5. *Abiit, &c.*] These verbs Doering explains, as allusive to the mode of catching wild animals by means of nets. The first applies to simple es-

jam perniciēs a monstro⁶ illo atque prodigio mœnibus⁷ ipsis intra mœnia comparabitur. Atque hunc quidem unum hujus belli domestici ducem sine controversia⁸ vicimus. Non enim jam⁹ inter latera¹⁰ nostra sica illa versabitur: non in campo, non in foro, non in curia, non denique intra domesticos parietes pertimescemus. Loco illo motus¹¹ est, quum est ex urbe depulsus. Palam jam cum hoste, nullo impediēte, bellum justum¹² geremus. Sine dubio perdidimus¹³ hominem, magnificeque vicimus, quum illum ex occultis insidiis in apertum latrocinium conjecimus. Quod¹⁴ vero non cruentum mucronem, ut voluit, extulit, quod vivis nobis¹⁵ egressus est, quod ei ferrum de manibus extorsimus, quod incolumes cives, quod stantem urbem reliquit: quanto tandem illum mœrore afflictum esse et profligatum¹⁶ putatis? Jacet ille nunc prostratus, Quirites, et se perculsum atque abjectum esse sentit, et retorquet oculos¹⁷ profecto sæpe ad hanc urbem, quam ex suis faucibus ereptam esse luget: quæ

cape: *excessit*, to this, before the nets are set: *evasit*, to the escape of the animal from the net: *erupit*, to his breaking through it. In whatever mode Catiline may be said to have removed himself, is indifferent to the orator. V. E. But Scheller properly gives these verbs as an example of oratorical amplification by synonymous terms. V. ii. p. 314.

6. *Monstro*] For an unnatural son was called 'a monster;' but Catiline was such to his parent land.

7. *Mœnibus*] 'Domibus, ædificiis.' Hic igitur mœnia muro complexus est. Flor. i. 4. *Græv.* But why then add '*ipsis*?' Cic. means to say, that other enemies of the state formed their plans of destruction against the city, *without* its walls, which were therefore useful as a defence; but Catiline laid his *within* the walls, and thus defeated the very object of having walls at all. This could now no longer take place.

8. *Sine controversia*] i. e. Sine dubio, ἀρκεῖως. Muret.

9. *Non—jam, &c.*] To show the magnitude of the danger which was now removed, he briefly reviews the

enormities of Catiline. Muret.

10. *Inter latera*] E. g. when he appeared in the comitium, 'cum telo.' 'In campo' refers to the election-day of Murena when Cic. appeared, 'cum illa lata insigni; lorica.' Muren. 26, Introd. 3. 'Foro—curia—domesticos parietes' are explained, Or. i. 13: 'Desinant insidians domusæ consuli, circumstare tribunal prætoris—obsidere cum gladiis curiam.'

11. *Loco—motus*] 'Has lost his vantage-ground;' a metaphor from war.

12. *Bellum justum*] A regular war, opposed to 'occultis insidiis,' *infr.* Liv. xxxix. 2, 'justo prælio devicit.'

13. *Perdidimus*] Ἀπωλέσαμεν.—Muret. Have undone.

14. *Quod, &c.*] But in that; *with regard to this* that.

15. *Vivis nobis*] Me vivo. Muret.; for he adds, 'incolumes cives, &c.' The same is intimated by 'mucronem non cruentum.'

16. *Profligatum*] Properly, 'dashed prostrate.' Hence 'jacet ille, &c.' So also 'perculsum.'

17. *Retorquet oculos*] As the wild

quidem lætari mihi videtur, quod tantam pestem evomuerit¹⁸ forasque projecerit.

II. At si quis¹ est talis, quales esse omnes² oportebat, qui in hoc ipso,³ in quo exsultat et triumphat⁴ oratio mea, me vehementer accuset, quod tam capitalem⁵ hostem non comprehenderim potius, quam emiserim: non est ista mea culpa, Quirites, sed temporum.⁶ Interemptum esse L. Catilinam, et gravissimo supplicio affectum jampridem oportebat: idque a me et mos majorum, et hujus imperii⁷ severitas, et respublica postulabat. Sed quam multos⁸ fuisse putatis, qui quæ ego deferrem, non crederent? quam multos, qui propter stultitiam non putarent? quam multos, qui etiam defenderent?⁹ quam multos, qui propter improbitatem faverent? Ac si, sublato illo, depelli a vobis omne periculum judicarem: jampridem ego L. Catilinam non modo invidiæ meæ,¹⁰ verum etiam vitæ periculo sustulissem. Sed quum viderem, ne vobis quidem omnibus¹¹ re etiam tum probata,

beast that wistfully eyes the prey which has been snatched from its jaws. So Il. xi. 546.—Θηρὶ ἰοικῶς, Ἐντροπαλιζόμενος.

18. *Evomuerit*] The metaphor which Cic. so frequently changes, is here taken from the sick, who are often so relieved.

SECT. II.—1. *At si quis, &c.*] Cic. proceeds to argue the question, which stands thus: either Catiline conspired or he did not. If he did, he deserved death; if he did not, why banish him? Cic. admits that he deserved death, but justifies his exile as being more for the public good. *Muret.*

2. *Quales esse omnes*] For then there would be no hazard in slaying Catiline.

3. *Hoc ipso*] Sc. the departure of Catiline.

4. *Triumphat*] As if over a fallen foe.

5. *Capitalem*] Who persecutes even to death. So Hor. Sat. i. 7. 13. 'Ira capitalis.'

6. *Sed temporum*] Of these wretched times which find even Catiline surrounded with many 'qui, quæ ego

deferrem, non crederent; qui, &c.' (ut infr.)

7. *Hujus imperii*] Sc. the consular. Cic. means when armed with the decree, 'Ne quid detrimenti, &c.;' and he informs us, *supr.* i. 2, that often on the very day it passed, public offenders (e.g. C. Gracchus) suffered. *Mil.* 26. n. 14.

8. *Quam multos*] There were three classes of men who would have exclaimed against Cic. if he had put Catiline to death: 1. those who attributed Cicero's opposition to political hatred; 2. men of weak judgment, who doubted the existence of any danger to the republic; 3. the partisans of Catiline. *Introd.* 5.—'Non putarent,' not duly estimate.

9. *Etiam defenderent*] Sc. *eum*; and to 'faverent' *ei*. *Ern.* Weiske, indeed, would supply 'quæ ego deferrem;' but as it cannot be supplied to both propositions, the pronoun seems better.

10. *Invidiæ meæ*] Odium against me. *Mil.* 35. n. 17.

11. *Ne vobis quidem omnibus*] 'The conspiracy having not even then (after

si illum, ut erat meritis, morte multassem, fore, ut ejus socios invidia oppressus persequi non possem: rem huc deduxi¹², ut tum palam pugnare possetis, quum hostem aperte videretis. Quem quidem ego hostem, Quirites, quam vehementer¹³ foris esse timendum putem, licet hinc intelligatis,¹⁴ quod illud etiam moleste fero, quod ex urbe parum comitatus¹⁵ exierit. Utinam ille omnes secum suas copias eduxisset! Tongilium mihi¹⁶ eduxit; quem amare in prætexta [calumnia]¹⁷ cœperat: Publicium et Munatium;¹⁸ quorum¹⁹ æs alienum²⁰ contractum in popinam²¹ nullum reipublicæ motum

all the discoveries I had made) been proved to the satisfaction even of *you* all,—much less did the generality believe it.

12. *Rem huc deduxi, &c.*] No other measure seems to offer itself to the imagination of Cic. but either, on the one hand, putting Catiline to death in an extra-judicial manner, or, on the other, forcing on a civil war. The attempt to punish him by due course of law, might, in Cicero's judgment, perhaps have been in vain—nay, might have led to still greater evils; but he might have stated his reasons, or at least glanced at them, for not resorting to the latter measure. *V. E.*

13. *Quam vehementer*] Said ironically. 'How little.'

14. *Licet—intel.*] i. e. *ut* intelligatis. The argument is this: A strong proof of my contempt for Catiline, as an open enemy, is supplied by the fact, that I should feel rejoiced at hearing of his army being reinforced. And why? because this would make his accomplices in the city, like himself, open enemies.

15. *Parum comitatus*] About three hundred accompanied him.

16. *Mihi*] As if he said 'to oblige me, forsooth;' a redundant use of the pronoun, to be found in all languages. Hom. Il. vi. 486. *Δαιμονίη, μὴ μοί τε λίην ἀκαχίζεο θυμῷ.* Juv. Sat. iii. 199—*tabulata tibi jam tertia fumant.* Shakspeare. 'It mounts *me* into the brain, &c.'

17. *Calumnia*] This word, which is found in several MSS. is incapable of any good meaning. In the nom. case, it would be, 'whom calumny (i. e. false accusation) had early made its favourite; i. e. he was fond of false accusations from his youth (in prætexta). In the abl. again, it would be 'by way of pretence,' while he was really the paramour of another. Græv. rejects, and Orel. brackets it. Al. *armare*, insinuating that such an equipment would not make an opponent very formidable in the field.

18. *Publi.—Munat.*] Sc. *eduxit.*

19. *Quorum*] The Delph. understands this to mean 'to whom;' contracted, namely by Catiline.—But the debt here must be contrasted with one that might easily excite disturbance in the state, e. g. that of the noble and powerful, and consequently must mean the personal engagements of Publicius and Munatius, from which, evidently, no danger could arise. Vid. Sall. Cat. 16, where speaking of this period he says, 'Magnum æs alienum in omnibus terris.'

20. *Æs alienum*] As 'æs meum' imported the money belonging to me myself, ('*meo sum pauper in ære,*' I have not much money of my own; I am poor but not in debt) so 'æs alienum' came to mean 'money belonging to another,' i. e. debt.

21. *Popinam*] Mil. 24. n. 14. Al. *popina*. 'Motum' al. *metum*.

afferre poterat: reliquit quos viros! quanto alieno aere!
quam valentes! quam nobiles!

III. Itaque ego illum exercitum, et Gallicanis¹ legionibus, et hoc delectu, quem in agro Piceno et Gallico² Q. Metellus³ habuit, et his copiis, quæ a nobis⁴ quotidie comparantur, magno opere contemno, collectum ex senibus desperatis,⁵ ex agresti luxuria,⁶ ex rusticis⁷ decoctoribus, ex iis, qui vadimonia deserere,⁸ quam illum exercitum maluerunt: quibus ego non modo si aciem exercitus⁹ nostri, verum etiam si edictum¹⁰

SECT. III.—1. *Gallicanis*] Lamb. inserts *præ*, which must be at least understood; or the construction may be absolute; 'I despise that army, *there being* the Gallican legions, &c.' 'Gallicanis' merely imports, 'stationed in Gaul;' not 'composed of Gauls,' as the Delph. explains it, who makes them Transalpine too.—But Cic. calls Piso's grandfather, who had settled at Placentia, on the river Po, 'Gallicanus.' Vid. Pison. Frag.; and, inf. 12, he says, 'agrum Gallicanum' for 'Gallicum.' Vid. next note.

2. *Piceno—Gallico*] Varr. de R. R. i. 2. says 'Ager Gallicus Romanus vocatur qui viritim cis Ariminum datus est, ultra agrum Picenum.' Brut. 14. This 'Gallicus ager' then, was not in Cisalpine Gaul at all, but in Central Italy, below Ariminum. It was so called from the 'Galli Senones,' who had been expelled from it, and whose name still appears in the modern 'Senigaglia.' Hence we find it so frequently joined with Picenum, another district of Umbria contiguous to it. Vid. Cæs. B. C. i. 29, where 'Gallia Picenumq.' occurs.

3. *Metellus*] Sall. Cat. 30, only mentions 'Picenum,' and Muret., mistaking the meaning of 'Gallico,' accounts for Metellus raising a levy in Gaul, by the transfer which Cic. is known to have made of the province of Macedonia to his colleague, Antonius, in return for Gaul, which had fallen to his lot; and to which he

imagines Cic. sent Metellus, instead of going himself. He forgot, however, that it was the year following that in which the consuls held office, that they assumed the command of the consular provinces.

4. *Quæ a nobis*] For the senate had decreed a levy of soldiers. Sall. Cat. 30.

5. *Desperatis*] Either 'who are past hope' of bettering their fortunes otherwise than by joining Catiline; or 'of whom, worn out by debauchery, we have nothing to hope or fear.'

6. *Agresti luxuria*] i. e. 'Ex agrestibus luxuriosis;' the abstract for the concrete.

7. *Rusticis*] This word and 'agresti' intimate that the profligates and insolvents of the country towns had flocked to the standards of Catiline; 'rusticus' being often used to signify an inhabitant of the colonies and free-towns in opposition to 'urbanus,' a resident at Rome. Arch. 10. Sext. 45. It would appear that Cicero thought even worse of this description of persons than he did of similar characters in the city.

8. *Vadimonia deserere*] A person's neglecting to attend the courts on the day that he bailed another to attend, or another bailed him; to forfeit one's recognizance.—Such persons were declared infamous, and their property handed over to their creditors.—Muret.

9. *Acie exercitus*] Our army in battle array. 'Exercitus' is usually

prætoris ostendero, concident. Hos, quos video volitare in foro,¹¹ quos stare ad curiam, quos etiam in senatum venire: qui nitent unguentis, qui fulgent purpura,¹² malletm secum suos milites eduxisset:¹³ qui si hic permanent, mementote, non tam exercitum illum esse nobis, quam hos, qui exercitum deseruerunt, pertimescendos. Atque hoc etiam sunt timendi magis, quod, quid cogitent, me scire sentiunt, neque tamen permoventur. Video, cui¹⁴ Apulia sit attributa, qui habeat Etruriam, qui agrum Picenum, qui Gallicum, qui sibi has urbanas insidias¹⁵ cædis atque incendiorum depoposcerit. Omnia superioris¹⁶ noctis consilia ad me delata esse sentiunt: patefeci in senatu hesterno die: Catilina ipse pertimuit, profugit: hi quid expectant? Næ¹⁷ illi vehementer errant, si illam meam pristinam lenitatem¹⁸ perpetuam sperant futuram.

IV. Quod expectavi, jam sum assecutus, ut vos omnes factam esse aperte conjurationem contra rempublicam videretis. Nisi vero si quis est, qui Catilinæ similes cum Cati-

omitted, which standing alone signifies a disciplined army; 'agmen,' an army on march; 'copiæ,' forces in general.

10. *Edictum*] Which declares them infamous, and delivers their property to their creditors.

11. *Volitare in foro*] De Or. i. 38. 'Moving about with an ostentatious or insolent air.' This the 'forum' permitted; not so the 'curia,' at which they were stationary, while watching to effect the ruin of their country. Delph. explains, it 'think of nothing but money-making!'

12. *Fulgent purpura*] i.e. 'Are of the highest rank.' Purple was at first the garb of royalty. So Virg.—'purpura regum.' Afterwards, either the senators, whose *latus clavus*, or knights, whose *angustus clavus* was of purple, might be said 'fulgere purpura.'

13. *Malletm—eduxisset*] Sc. 'ut eduxisset.'

14. *Video cui*] C. Julius, accord-

ing to Sallust, c. 27; but to him 'video' is inapplicable, as he was sent by Catiline before he departed himself. So of Mallius and Septimius Camers, who had been despatched to Etruria and Picenum. It is uncertain, then, to whom Cic. alludes.

15. *Qui—urbanas insidias*] Cethegus, Statilius, Gabinius, &c. Introd. 6. Sall. Cat. 43.

16. *Superioris*] The night last but two. Compare Or. i. 1. 'Quid proxima, quid superiore nocte, &c.' and inf. 'patefeci in sen. hesterno die.'

17. *Næ*] i.e. *Nai*, truly. This particle expresses a strong affirmative, and is sometimes written *ne*. Cic. generally prefixes it to a pronoun, contrary to the practice of other authors. Nat. D. ii. 1. Tusc. i. 30. Fam. vii. 1. But Terent. Andr. 'Faciunt næ intelligendo, &c.'

18. *Lenitatem*] For he had the decree 'ne quid detrimenti, &c.,' yet advised flight.

lina sentire¹ non putet. Non est jam lenitati locus: severitatem res ipsa flagitat. Unum etiam nunc concedam: exeant, proficiscantur, ne patiantur desiderio sui² Catilinam miserum tabescere.³ Demonstrabo iter: Aurelia via⁴ profectus est. Si accelerare volent, ad vesperam consequentur. O fortunatam rempublicam, si quidem hanc sentinam⁵ hujus urbis ejecerit! Uno⁶ mehercule Catilina exhausto, relevata mihi et recreata respublica videtur. Quid enim mali⁷ aut sceleris fingi aut excogitari potest, quod non ille conceperit! quis tota Italia veneficus,⁸ quis gladiator, quis latro, quis sicarius, quis parricida, quis testamentorum subjector,⁹ quis circumscriptor,¹⁰ quis ganeo,¹¹ quis nepos,¹² quis adulter, quæ mulier infamis, quis corruptor juventutis, quis corruptus, quis perditus inveniri potest, qui se cum Catilina non familiarissime vixisse fateatur? quæ cædes per hosce annos sine illo facta est? quod nefarium stuprum non per illum? Jam vero quæ tanta in ullo unquam homine juventutis illecebra¹³ fuit, quanta in illo, qui alios ipse amabat turpissime, aliorum amorì flagitiosissime serviebat, aliis fructum libidinum, aliis mortem parentum, non modo impellendo, verum etiam adjuvando, pollicebatur. Nunc vero quam subito, non solum ex urbe, verum etiam ex agris,¹⁴ ingentem numerum

SECT. IV.—1. *Sentire cum*] Agree in sentiments with.

2. *Desiderio sui*] With longing after them.

3. *Tabescere*] A metaphor from consumptive persons (tabidis).

4. *Aurelia via*] Or. i. 9. n. 12. It led through Etruria. Phil. xii. 9. Tres viæ: a supero mari, Flaminia; ab infero, Aurelia; media, Cassia.

5. *Sentinam*] Or. i. 5. n. 13. Here too, it signifies not the container, but the thing contained. Hence 'exhausto' following.

6. *Uno*] *A fortiori*, would it be relieved if they were all cleared out.

7. *Quid mali*] This general head he afterwards amplifies by enumerating the parts. *Muret*.

8. *Quis—veneficus*] Vid. Sall. Cat. 14. for a similar enumeration.

9. *Subjector*] One who substitutes

a counterfeit for a genuine will or deed.

10. *Circumscriptor*] So in Greek, περιγραφεὺς. It means one in general who practises deception and fraud, but is often limited to the ensnarers of pupils and youth. Juv. 15. 125. 'pupillum ad jura vocantem Circumscriptorem.' Phil. xiv. 3. 'Adolescentulos circumscribunt.'

11. *Ganeo*] From 'ganea,' which is 1. a subterraneous room; 2. a bagnio. Α γαῖα, terra, vel γάνος, lætitia.

12. *Nepos*] 1. a grandson; 2. a grandmamma's favourite; a prodigal.

13. *Illecebra*] In læcio. In composition ã becomes either ð or ÿ. So grãdiol, ingrẽdiol; læcio illício.

14. *Ex agris*] Hence supr. 3; 'agresti luxuria, rusticis decoctoribus.'

perditorum hominum collegerat? Nemo, non modo¹⁵ Romæ, sed nec ullo in angulo totius Italiæ, oppressus ære alieno fuit, quem non ad hoc incredibile sceleris fœdus adsciverit.

V. Atque ut ejus diversa studia in dissimili ratione¹ perspicere possitis; nemo est in ludo gladiatorio paullo ad facinus audacior, qui se non intimum Catilinæ esse fateatur: nemo in scena levior² et nequior, qui se non ejusdem prope sodalem fuisse commemoret. Atque idem tamen, stuprorum et scelerum exercitatione assuefactus, frigore, et fame,³ et siti, ac vigiliis perferendis, fortis ab istis prædicabatur, quum industriæ subsidia, atque instrumenta virtutis, in libidine audaciaque⁴ consumeret. Hunc vero si secuti erunt sui comites: si ex urbe exierint desperatorum hominum flagitiosi greges: O nos beatos,⁵ O rempublicam fortunatam, O præclaram laudem consulatus mei! Non enim jam sunt mediocres hominum⁶ libidines, non humanæ⁷ audaciæ, ac tolerandæ: nihil cogitant, nisi cædes, nisi incendia, nisi rapinas: patrimonia sua profuderunt: fortunas suas abligurierunt: res eos jampridem, fides⁸ deficere nuper cœpit: eadem tamen illa, quæ erat in abundantia, libido permanet. Quod si in

15. *Non modo*] i. e. 'Non modo non;'¹ not only not at Rome, where Catiline would have no difficulty in collecting debtors, but not even, &c. The usual *ne—quidem* is here omitted, probably on account of 'nec ullo,' which follows, being emphatic. 'Non modo—sed nec' is very rare. Vid. Tursel. *de Lat. part.*; and Or. i. 10. n. 4.

SECT. V.—1. *In dissimili ratione*] This does not mean 'to set his varied pursuits in a different point of view,' but 'to show you his varied pursuits in the most opposite course or scenes of life;' e. g. as a gladiator and play actor. Cæl. 5. 'Neque ego unquam fuisse tale monstrum in terris ullum puto, tam ex contrariis, diversisque inter se pugnantibus naturæ studiis, cupiditatibusque conflatum.'

2. *Nemo—levior*] No debauched player. As 'gravis' signifies dignified, high-minded, so 'levis' is mean, worthless. Hence synony-

mous with 'nequam.' Gell. vii. 11.

3. *Frigore et fame*] Al. *frigori et fami*, referring them to 'assuefactus.' But this word is often joined to an abl. De. Or. iii. 10. 'Quorum sermone assuefacti qui erunt, &c.'—Cæs. B. G. iv. 1. 'A pueris nullo officio aut disciplina assuefacti.' Or. i. 10. Trans. 'Was lauded by his followers as a brave man, owing to his enduring, &c.'

4. *Libidine—audacia*] Refer these respectively to 'stuprorum' and 'scelerum.'

5. *O nos, beatos*] How happy shall I be!

6. *Hominum*] Used in contempt; 'of those wretches.'

7. *Humanæ*] i. e. Only befitting the species of brutes.

8. *Fides*] Credit. Cæs. B. C. iii. 1. 'Cum fides angustior neque creditæ pecuniæ solverentur.' Manil. 7. n. 12.

vino et alea comissiones⁹ solum et scorta quærerent, essent illi quidem desperandi, sed tamen essent ferendi. Hoc vero quis ferre possit, inertes homines fortissimis viris insidiari, stultissimos prudentissimis, ebriosos¹⁰ sobriis, dormientes vigilantibus? qui mihi¹¹ accubantes in conviviis, complexi mulieres impudicas, vino languidi, confecti cibo, sertis redimiti,¹² unguentis oblit, debilitati stupris, eructant¹³ sermonibus suis cædem bonorum, atque urbis incendia. Quibus ego confido impendere fatum¹⁴ aliquod: et pœnas jamdiu improbitati, nequitiae, sceleri, libidini debitas, aut instare jam plane, aut certe jam appropinquare. Quos si meus consulatus quoniam sanare non potest, sustulerit: non breve nescio quod¹⁵ tempus, sed multa secula propagarit¹⁶ reipublicæ. Nulla est enim natio,¹⁷ quam pertimescamus: nullus rex, qui bellum populo Romano facere possit. Omnia sunt externa unius¹⁸ virtute terra marique¹⁹ pacata: domesticum bellum manet: intus insidiæ sunt: intus inclusum periculum est: intus est hostis. Cum luxuria nobis, cum amentia, cum scelere certandum est. Huic ego me bello ducem profiteor, Quirites; suscipio inimicitias hominum perditorum. Quæ sanari²⁰ poterunt, quacunque ratione sanabo: quæ resecanda erunt, non patiar ad perniciem civitatis manare.²¹ Proinde

9. *Comissiones*] From κῶμος, import revellings *after* supper; 'convivium,' *at* supper. Hence 'in vino,' in their cups.

10. *Ebriosos*] Drunkards; 'ebrii,' drunken.

11. *Mihi*] Expletive, as *supr.* c. 2. u. 16. Here, too, it implies contempt on the part of the speaker.

12. *Redimiti*] Qu: 'redimiciti,' from 'amicio;' and 'serta,' wreaths, as being *plaited*.

13. *Eructant*] Inter ructandum meditantur et jactant. *Forcel.* It refers to 'Vino languidi, confecti cibo.'

14. *Fatum*] Here 'calamity, mishap.' Conversely Hor. Carm. S. 27, 'bona fata;' and Juv. Sat. 7. 189. 'Exempla novorum Fatorum transi.' Vid. Phil. ii. 1.

15. *Nescio quod*] To intimate some trifling period.

16. *Propagarit*] 1. To lay a stock in the ground that plants may spring from it; 2. To enlarge or prolong.

17. *Nulla est natio*] It was during Cicero's consulship that Mithridates, betrayed by his son, Pharnaces, at Amisus, was killed, at his own desire, by a Gallic soldier. He was the only formidable opponent the Romans then had.

18. *Unius*] Pompey.

19. *Terra marique*] 'By land,' Mithridates; 'by sea,' the pirates.

20. *Quæ sanari*] Ovid. Met. i. 190, 'immedicabile vulnus Ense recidendum est, ne pars sincera trahatur.'

21. *Manare*] Al. *manere*. But the metaphor is not from amputating a limb, but cutting out a corroding ulcer. Hence the propriety of 'manare.'

aut exeant, aut quiescant: aut, si et in urbe, et in eadem mente permanent; ea, quæ merentur,²² exspectent.

VI. At etiam sunt,¹ Quirites, qui dicant, a me in exsilium ejectum esse Catilinam. Quod ego si verbo assequi possem, istos ipsos ejicerem, qui hæc loquuntur. Homo videlicet timidus et permodestus vocem consulis ferre non potuit: simul atque ire in exsilium jussus est, paruit, ivit.² Hesterno die,³ quum domi meæ pæne interfectus essem, senatum in ædem Jovis Statoris⁴ convocavi: rem omnem ad patres conscriptos detuli. Quo quum Catilina venisset, quis eum senator appellavit? quis salutavit? quis denique ita adspexit, ut perditum civem, ac non potius, ut importunissimum hostem? Quin etiam principes ejus ordinis partem illam subselliorum, ad quam ille accesserat, nudam atque inanem reliquerunt. Hic ego vehemens ille consul,⁵ qui verbo cives in exsilium ejicio, quæsivi⁶ a Catilina, in nocturno conventu apud M. Læcam fuisset, necne. Quum ille, homo audacissimus, conscientia convictus, primo reticuisset: patefeci cetera; quid ea nocte egisset, quid in proximam⁷ constituisset, quemadmodum esset ei ratio totius belli descripta, edocui. Quum hæsitaret, quum teneretur; quæsivi, quid dubitaret proficisci eo, quo jampridem pararet: quum arma, quum secures, quum fasces,⁸ quam tubas, quum signa militaria, quum aquilam⁹ illam argenteam, cui ille etiam sacrarium scelerum

22. *Quæ merentur*] Ultimum supplicium. *Muret.*

SECT. VI.—1. *At etiam sunt*] It was objected to Cic. that he had forced Catiline to go into exile by his threats and invectives. He adduces several reasons to prove the contrary: 1. from Catiline's disposition—'Homo videlicet, &c.'—who was too audacious to listen to a simple advice from him; 2. that he merely asked some questions, 'quæsivi a Catilina,' regarding his conduct, &c., &c.

2. *Ivit*] Al. *quievit*; al. omit it. Ern. supposes an omission here, and suggests, *sed res sic habet*, as Cicero goes on to explain his defensive line of conduct.

3. *Hesterno die*] This is to be taken with 'convocavi.' It was not

yesterday that Cicero narrowly escaped assassination, but yesterday that he convened the senate. *Muret.*

4. *Ædem—Statoris*] Or. i. 5. n. 4.

5. *Vehemens ille consul*] As Catiline's friends call me.

6. *Quæsivi*] Not with the tone of authority, but merely to gain information. Supr. n. 1.

7. *In proximam*] *Muret.* refers to the future: 'For the next,' namely, that fixed for his departure. So 'proximis Idibus.' Or. i. 6.

8. *Fasces*] By thus previously preparing the emblems of authority, Catiline disclosed his intentions, though invested with no legal powers, of assuming the command. *Sall.* 36. *V. E.*

9. *Aquilam—sacrarium*] Or. i. 9. n. 14. 15.

domi suæ fecerat, scirem esse præmissam. In exsilium¹⁰ eiciebam, quem jam ingressum esse in bellum videbam? Etenim, credo, Mallius iste, centurio, qui in agro Fesulano¹¹ castra posuit, bellum populo Romano suo nomine indixit: et illa castra nunc non Catilinam ducem exspectant: et ille, ejectus in exsilium, se Massiliam,¹² ut aiunt, non in hæc castra conferet.

VII. O conditionem miseram,¹ non modo administrandæ, verum etiam conservandæ reipublicæ! Nunc, si L. Catilina, consiliis, laboribus, periculis meis circumclusus ac debilitatus, subito pertimuerit, sententiam mutaverit, deseruerit suos, consilium belli faciendi abjecerit, ex hoc cursu sceleris et belli, iter ad fugam atque in exsilium² converterit: non ille a me spoliatus armis audaciæ, non obstupefactus ac perterritus mea diligentia, non de spe conatuque depulsus, sed indemnatus, innocens, in exsilium ejectus a consule vi et minis esse dicetur: et erunt, qui illum, si hoc fecerit, non improbum, sed miserum: me non diligentissimum consulem, sed crudelissimum tyrannum existimari velint. Est mihi tanti,³ Quirites, hujus invidiæ falsæ atque iniquæ tempestatem subire, dummodo a vobis hujus horribilis belli ac nefarii periculum depellatur. Dicatur sane ejectus esse a me, dummodo eat in exsilium. Sed mihi credite, non est iturus.—Nunquam⁴ ego a diis immortalibus optabo, Quirites, invidiæ meæ levandæ causa, ut L. Catilinam ducere exercitum hostium, atque in armis volitare audiat: sed triduo tamen

10. *In exsilium*] As Cat. had made every preparation for raising the standard of rebellion in Umbria, Cic. could not be said to have expelled him from Rome.

11. *Mallius—Fesulano*] Or. i. 35.

12. *Massiliam*] In Gallia Narbonensis. So Sall. Cat. 34. 'Massiliam in exilium proficisci.' This city was founded B. C. 600, by a colony of Phocæans from Ionia, who being besieged by Harpagus, a general of Cyrus, and on the point of surrendering, formed the design of leaving their city, and having cast into the sea a mass of iron, bound themselves by an oath not to return till it should emerge from the deep. Herod. i. 165.

Hor. Ep. xvi. 17. 'Phocæorum Velut profugit execrata civitas.' It was a usual retreat for exiled Romans, as appears by its being the residence of L. Scipio Asiaticus and Milo. Sext. 3.

SECT. VII.—1. *O conditionem miseram*] Wherein a statesman's conduct is so misrepresented. This he illustrates 'Nunc, si, &c.'

2. *Fugam—exsilium*] Amplification merely.

3. *Est—tanti*] Or. i. 9, n. 4. V. E. This groundless odium I am willing to sustain.

4. *Nunquam, &c.*] Cic. wished to set himself right with his fellow-citizens, regarding his predictions about

audietis: multoque magis illud timeo,⁵ ne mihi sit invidiosum aliquando, quod illum emiserim potius, quam quod ejecerim. Sed quum sint⁶ homines, qui illum, quum profectus sit, ejectum esse dicant, iidem, si interfectus esset, quid dicerent? Quamquam⁷ isti, qui Catilinam Massiliam ire dictitant, non tam hoc queruntur, quam verentur.⁸ Nemo est istorum tam misericors, qui illum non ad Mallium, quam ad Massilienses ire malit. Ille autem, si mehercules hoc, quod agit,⁹ nunquam ante cogitasset, tamen latrocinantem se interfici mallet, quam exulem vivere. Nunc vero, quum ei nihil adhuc præter ipsius voluntatem cogitationemque acciderit, nisi quod vivis nobis Roma¹⁰ profectus est: optemus potius, ut eat in exilium, quam queramur.

VIII. Sed cur tamdiu¹ de uno hoste loquimur: et de eo hoste, qui jam fatetur se esse hostem, et quem, quia, quod semper volui, murus interest, non timeo: de his, qui dissimulant, qui Romæ remanent, qui nobiscum sunt, nihil dicimus? quos quidem ego, si ullo modo fieri possit,² non tam ulcisci studeo, quam sanare, et ipsos placare³ reipublicæ; neque, id quare fieri non possit, si me audire volent, intelligo. Exponam⁴ enim vobis, Quirites, ex quibus generibus hominum istæ copiæ comparentur: deinde singulis medi-

Catiline, who might think that he could have little objection to Catiline's taking up arms, were it only to demonstrate his own sagacity.

5. *Multo magis—timeo*] I do not fear any odium likely to arise from the banishment of Catiline, for I did not cause it; but from permitting his escape, instead of inflicting on him summary vengeance.

6. *Quum sint*] If I am accused of banishing Catiline, because he left the city; much more should I have been blamed had I put him to death.

7. *Quamquam*] Mil. 2. n. 18.—And yet those who repeat, &c.; are not so sincere in their complaints, as in their fears that those complaints are groundless: for then they should have no opportunity of rising on the ruin of their country.

8. *Queruntur—verentur*] Perhaps

these words, and 'ad Mallium—ad Massilienses,' contain a sort of paronomasia.

9. *Hoc quod agit*] Conspiring against his country.

10. *Vivis nobis*] Whilst I am alive. Supr. 1, n. 15.

SECT. VIII.—1. *Sed cur tamdiu*] Transitio est. Muret.

2. *Si—possit*] Al. *posset*. Weiske suspects that these words are a marginal gloss, as they do not accord with *neque id—intelligo*, immediately following. V. E. But when he wrote the words he did not think of 'si me audire volent,' which, in Cicero's opinion, was quite enough to take away any impossibility.

3. *Ipsos placare*] To reconcile even them to the republic.

4. *Exponam*] From a candid *exposition*, Cic. proposes to conciliate

nam consilii atque orationis⁵ meæ, si quam potero,⁶ afferam. Unum genus est eorum, qui, magno in ære alieno, majores etiam possessiones habent, quarum amore adducti dissolvi⁷ nullo modo possunt. Horum hominum species est honestissima;⁸ sunt enim locupletes: voluntas vero et causa impudentissima. Tu agris, tu ædificiis, tu argento, tu familia; tu rebus omnibus ornatus et copiosus sis:⁹ et dubites de possessione detrahere, acquirere, ad fidem?¹⁰ Quid enim expectas? Bellum? Quid? Ergo in vastatione omnium tuas possessiones sacrosanctas¹¹ futuras putas? An tabulas novas?¹² Errant, qui istas a Catilina expectant. Meo beneficio tabulæ novæ¹³ proferentur: verum auctionariæ.¹⁴ Neque enim isti, qui possessiones habent, alia ratione ulla salvi esse possunt. Quod si maturius facere voluissent, neque (id quod stultissimum est) certare cum usuris fructibus prædiorum;¹⁵ et locupletioribus his et melioribus civibus utere-

his audience.

5. *Medicinam — orationis*] The healing influence of my advice, and of my eloquence, exerted in explaining and enforcing that advice.

6. *Si quam potero*] For, as the Schol. remarks, 'tria genera vitiorum cum remedio; tria sine remedio.'—The first, second, and third, as will be observed, stand in the former predicament, the remainder in the latter.

7. *Dissolvi*] Liberari alieno ære. Muret. Ern. conjectures *dissolvere*; nam æs ipsum, non homo qui debet, *dissolvi* dicitur. *Dissolvi*, Scheller interprets, *separari*: they cannot endure parting with their possessions: 'Sic enim sum complexus otium, ut ab eo divelli non queam.' Att. ii. 6. Orel. rightly says, that *dissolvi* has a middle force 'to clear their scores so as to get a receipt in full.' For *adducti*, Weiske would read *addicti*, Ern. *adstricti*.

8. *Honestissima*] Of high rank and making a splendid appearance. V. E.

9. *Tu—sis*] 'Are you, &c., and yet hesitate, &c.'

10. *Ad fidem*] i. e. Acquirere

aliquid ad fidem; in some degree to improve your credit.

11. *Sacrosanctas*] So that none may violate them. Muret.

12. *Tabulas novas*] A compulsory arrangement by law, compelling the creditor to accept a part of his debt, in full for the whole. This measure Catiline had promised to adopt. Sall. 21. V. E. Muret. strangely supposes it to mean Catiline's burning the books of the money-lenders.

13. *Novæ*] He plays on the word. They shall be *new* tables, but not in their sense.

14. *Auctionariæ*] By which their property, or a sufficient portion of it, would be exposed to sale, and their debts paid. V. E. This is his *first* remedy.

15. *Certare — prædiorum*] 'To struggle against the interests of money with the proceeds of their possessions;' i. e. to attempt paying the interest of money by the income of their estates. We may infer that the *contest* was unequal, from the *folly* of waging it; i. e. that the income did not cover the accumulated interest—and hence the propriety of

mur.¹⁶ Sed hosce homines minime puto pertimescendos, quod aut deduci de sententia possunt; aut, si permanebunt, magis mihi videntur vota facturi contra rempublicam, quam arma laturi.

IX. Alterum genus est eorum, qui quamquam premuntur aëre alieno, dominationem tamen exspectant: rerum potiri¹ volunt: honores, quos quieta república desperant, perturbata² consequi se posse arbitrantur. Quibus hoc præcipiendum³ videtur, unum scilicet et idem, quod ceteris omnibus, ut desperent, se id, quod conantur,⁴ consequi posse: primum omnium, me ipsum vigilare, adesse, providere reipublicæ: deinde magnos animos esse in bonis viris, magnam concordiam, maximam multitudinem,⁵ magnas præterea copias militum; deos denique immortales huic invicto populo, clarissimo imperio, pulcherrimæ urbi, contra tantam vim sceleris, præsentibus⁶ auxilium esse laturos. Quod si jam sint id, quod cum summo furore cupiunt, adepti: num illi in cinere urbis, et in sanguine⁷ civium, quæ mente conscelerata⁸ ac nefaria concupierunt, consules se ac dictatores, aut etiam reges sperant futuros? Non vident, se cupere id, quod si adepti fuerint, fugitivo alicui, aut gladiatori⁹ concedi sit necesse? Tertium genus est ætate jam affectum,¹⁰ [sed tamen]

selling out a part to save the remainder.

16. *Uteremur*] *Experiremur*, like *ὑπάσσομαι* in Greek. Verr. vii. 59.—‘Hic vide, quam me sis usurus æquo.’ How reasonable you will find me.

17. *Quod deduci*] By showing them that they must pay, or else they will be auctioned out.

SECT. IX.—1. *Potiri rerum*] To possess supreme power; but ‘*potiri rebus*,’ to obtain or enjoy, &c.’ So Sall. Cat. 48, ‘*Potiri urbis*,’ and on the same principle, Hor. Carm. iii. 30, *Daunus agrestium Regnavit populorum*.

2. *Perturbata*] Sc. ‘*republica*.’

3. *Hoc præcipiendum*] The remedy in the second case.

4. *Id quod conantur*] To overthrow the state.

5. *Max. mult.*] Some word, Wetz. and Ern. think, is deficient; *populi*,

or *eorum*. Sch. supposes *equitum*, cavalry, as opposed to *militum*, infantry, following. V. E.

6. *Præsentibus*] Propitious. Or. iii.

8. ‘*Ita præsentibus opem et auxilium nobis tulerunt*.’ Virg. Ecl. i. 42. Nec tam præsentibus alibi cognoscere divos. Hor. Ep. ii. 1. ‘*Præsentibus tibi maturos largimur honores*.’

7. *Cinere—sanguine*] Refer to ‘*cædes—incendium*,’ ‘*ferro flammarum*’ which he has so often used. Supr. 1. Or. iii. 1.

8. *Conscelerata*] Con only for euphony. Muret.

9. *Fugitivo—gladiatori*] For supposing Catiline successful, his followers must be rewarded, and the most daring of these were, or might be, slaves and gladiators.

10. *Ætate—affectum*] Supr. 3. ‘*Collectum ex senibus desperatis*.’ They were chiefly veterans of Sylla,

exercitatione robustum: quo ex genere iste est Mallius,¹¹ cui nunc Catilina succedit. Hi sunt homines ex iis coloniis,¹² quas Sulla constituit: quas ego universas civium esse optimorum, et fortissimorum virorum sentio:¹³ sed tamen hi sunt coloni, qui se in insperatis repentinisque pecuniis sumptuosius insolentiusque jactarunt.¹⁴ Hi dum ædificant, tamquam beati:¹⁵ dum prædiis, lecticis, familiis magnis, conviviis apparatus¹⁶ delectantur, in tantum æs alienum inciderunt, ut, si salvi esse velint, Sulla sit iis ab inferis excitandus. Qui etiam nonnullos agrestes,¹⁷ homines tenues¹⁸ atque egentes, in eandem illam spem rapinarum veterum impulerunt: quos ego utrosque, Quirites, in eodem genere prædatorum direptorumque pono. Sed eos hoc moneo:¹⁹ desinant furere ac proscriptiones et dictaturas²⁰ cogitare. Tantus enim illorum temporum dolor inustus²¹ est civitati, ut jam ista non modo homines, sed ne pecudes quidem mihi passuræ²² esse videantur.

X. Quartum genus est sane varium,¹ et mixtum, et turbulentum: qui jampridem premuntur: qui nunquam emer-

as he now shews.

11. *Iste Mallius*] Or. i. 3. n. 8. 'Cui succedit,' is gone to join.

12. *Ex iis coloniis*] Sylla had planted no less than forty-seven military colonies after his victory over the Marians.

13. *Quas—univer.—sen.*] 'Which, as a body, I hold to be, &c.'

14. *In insperatis—jactarunt*] The preposition has been here inserted by Ern., avowedly without any authority, and in the opinion of Scheller and Weiske, unnecessarily. *Se jactare*, without a prep. governing the following noun, are found. Cat. iv. 5. Virg. Ecl. vi. 74. V. E. Vid. Sall. Cat. 11. 16, where the soldiers of Sylla are similarly described.

15. *Tamquam beati*] As if they were really wealthy, whereas they only possessed a temporary supply, derived from plunder.

16. *Conviviis apparatus*] Similarly, Phil. ii. 39. 'Prandiorum apparatus,' and Lucian πολυτελῆ δέπνα.

17. *Nonnullos agrestes*] 'Ex agres-

ti luxuria—ex rusticis decoctoribus.'

18. *Homines tenues*] Ita eleganter vocantur pauperes. Rosc. A. 31. Quid si accedit eodem, ut tenuis ante fueris? Muret.

19. *Sed eos hoc moneo*] The remedy for the third class. The remainder were past remedy.

20. *Proscrip.—dictat.*] The perpetual dictatorship and proscriptions of Sylla were fresh in the minds of his veterans.

21. *Dolor inustus*] Supr. 6. n. 3. Mil. 36. n. 4.

22. *Pecudes—passuræ*] This seems strongly figurative. Possibly an allusion is designed to some incident during Sylla's proscription, where great barbarity was practised to animals. Weiske. V. E.

SECT. X.—1. *Varium*] For they laboured under no single disease of the mind, as ambition or pride, but—'in ære alieno vacillant'—are tottering under a load of debt, contracted of old, through indolence, imprudence, and extravagance.

gent;² qui partim inertia, partim male gerendo negotio, partim etiam sumptibus, in vetere ære alieno vacillant; qui vadimoniis, judiciis, proscriptionibus³ bonorum defatigati, permulti et ex urbe et ex agris se in illa castra conferre dicuntur. Hosce ego non tam milites acres, quam infitiatores⁴ lentos esse arbitror. Qui homines primum⁵ si stare non possunt, corruant: sed ita, ut non modo civitas,⁶ sed ne vicini quidem proximi sentiant. Nam illud non intelligo, quamobrem, si vivere honeste non possunt, perire turpiter velint: aut cur minore dolore perituros se cum multis, quam si soli pereant, arbitrentur. Quantum genus est parricidarum,⁷ sicariorum, denique omnium facinorosorum: quos ego a Catilina non revoco; nam neque divelli ab eo possunt: et pereant sane in latrocinio, quoniam sunt ita multi, ut eos capere carcer non possit. Postremum⁸ autem genus est, non solum numero, verum etiam genere ipso atque vita: quod proprium est Catilinæ, de ejus delectu, immo vero de complexu⁹ ejus ac sinu; quos pexo¹⁰ capillo, nitidos, aut imber-

2. *Emergent*] Men of broken fortunes are called 'naufrazi;' the metaphor is here pursued. Pers. Sat. iii. 33.—'Et alto Demersus, summa rursus non bullit in unda.'

3. *Vadim. judic. proscrip.*] The regular legal order of proceeding against insolvents in Rome, is here observed. They fail in appearing; judgments against them are obtained; their effects are seized, and, after a certain delay, pass to their creditors. Weiske. V. E.

4. *Infitiatores lentos*] 'Lentos' is opposed to 'acres,' and the sense is, that by *denying*, they put off their creditors from time to time. But vid. Muret. Var. Lect. iii. 18.

5. *Primum*] Quum dixerit 'primum' videbatur additurus 'deinde.' Est igitur ἀνακολουθον. Muret.

6. *Non modo civitas*] He had said above 'vacillant'—they stagger; now he adds 'corruant'—let them tumble down; not indeed as they would wish, so as to shake the republic to its base; but so that not even their nearest neighbour, much less the city,

may hear the fall. Lucian Char.—Μόγεις καὶ τοῖς γείτοσιν ἐξακεσθέντος τῷ πτώματος. He seems to hint that it would be more respectable to be their own executioners than that their country should put them to death as traitors. Hence Manut. explains: 'Turpiter' civili bello; 'cum multis'—Catilinæ sociis.

7. *Parricidarum*] Mil. 7. n. 6.

8. *Postremum*] We here learn that this word admits of two senses. This class was not only the *last* in point of order, but *worst* in point of morals.—Supply the ellipsis thus: 'The last kind is *so*, not only in, &c., but also in, &c.'

9. *Complexu, &c.*] It is not necessary to urge the meaning of this expression further than 'most intimate,' or the like. Fam. xiv. 4.—'Quid? Cicero meus quid agat?—Iste vero sit in sinu semper et complexu meo?'

10. *Pexo*] This intimates effeminacy. Hence Hor. Carm. i. 12. 'Hunc et incomptis Furius capillos, &c.' Muret.

bes, aut bene barbato¹¹ videtis : manicatis et talaribus tunicis ;¹² velis amictos,¹³ non togis : quorum omnis industria vitæ, et vigilandi labor in antelucanis cœnis¹⁴ expromitur. In his gregibus omnes aleatores, omnes adulteri, omnes impuri impudique versantur. Hi pueri tam lepidi ac delicati,¹⁵ non solum amare et amari, neque psallere¹⁶ et saltare, sed etiam sicas vibrare, et spargere venena didicerunt : qui nisi exeunt, nisi pereunt, etiam si Catilina perierit, scitote hoc in republica seminarium Catilinarium futurum. Verumtamen¹⁷ quid sibi isti miseri volunt ? num suas secum mulierculas sunt in castra ducturi ? quemadmodum autem illis carere poterunt, his præsertim jam noctibus ?¹⁸ quo autem pacto illi Apenninum, atque illas pruinas ac nives¹⁹ perferent ? nisi idcirco se facilius hiemem toleraturos putant, quod nudi in conviviis saltare²⁰ didicerunt.

XI. O bellum magno opere pertimescendum, quum hanc sit habiturus Catilina scortorum¹ cohortem prætoriam !² Instruite nunc, Quirites, contra has tam præclaras Catilinæ

11. *Bene barbato*] With large beards. For if we translate 'spruce' there is no opposition between it and 'imberbes,' which is evidently intended. 'Bene barbati,' are full-grown young men ; 'imberbes'—youths, called, Att. i. 14, 'barbatuli.' The custom of shaving was introduced into the city, from Sicily, by P. Licinius Mena, A. U. 454.

12. *Manicatis—tunicis*] 'Tunics furnished with sleeves.' These were held an unmanly apparel. A. Gell. vii. 12. Virg. ix. 616. 'Et tunicæ manicas et habent redimicula mitræ.'

13. *Velis amictos*] To show the looseness and thin texture of their gowns. Men of gravity chose gowns of opposite qualities. Hor. Ep. i. 19. Exiguæque togæ simulet textore Catonem.

14. *Antelucanis cœnis*] Suppers protracted till the dawn. Arch. 6. n. 15.

15. *Delicati*] Mil. 10. n. 21.

16. *Psallere*] Al. *cantare* ; but Sall. (Cat. 25,) uses 'psallere et saltare.' As to 'semin. Catilinarium,' Orel. defends it by Cato 48. 'Po-

marium seminarium atque oleagineum.' The remark of Sch. then, that this would mean 'a seminary instituted by Catiline,' seems not well-founded. He reads, however, *Catilinarum*, and cites, Phil. xiii. 2. 'Seminarium iudicum tertiarum decuriarum.'

17. *Verumtamen*, &c.] Non jam ad pueros dicit sed ad amatores ipsorum. Muret. Hence 'mulierculas.'

18. *His—jam noctibus*] November was then arrived.

19. *Apen.—nives*] Similarly Virg. Ecl. x. 47. 'Alpinas, an dura, nives, et frigora Rheni, &c.'

20. *Nudi—saltare*] Deiot. 9, n. 25 ; to which add Dem. Olyn. ii. 7.—*οἷους μεθυσθέντας ὀρχεῖσθαι τοιαῦτα οἷα ἐγὼ νῦν ὀκνῶ πρὸς ὑμᾶς ὀνομάσαι.*

SECT. XI.—1. *Scortorum*] This term is sometimes applied to males. Sext. 17. 'Cum scurrarum locupletium scorto, cum, &c.—quos homines.' Al. *Scortatorum*.

2. *Cohortem prætoriam*] As 'prætor' is any leader, civil or military, 'prætoria cohors' is the general's guard. Festus says that Scipio Afri-

copias vestra præsidia vestrosque exercitus : et primum gladiator illi confecto³ et saucio, consules imperatoresque vestros opponite : deinde contra illam naufragorum ejectam⁴ ac debilitatam manum, florem totius Italiæ ac robur educate. Jam vero urbes⁵ coloniarum ac municipiorum respondebunt⁷ Catilinæ tumulis⁸ silvestribus. Neque vero ceteras copias, ornamenta,⁹ præsidia vestra, cum illius latronis inopia atque egestate debeo conferre. Sed, si, omissis his rebus omnibus, quibus nos suppeditamus,¹⁰ eget ille, senatu,¹¹ equitibus Romanis, populo, urbe, ærario, vectigalibus, cuncta Italia, provinciis omnibus, exteris nationibus, si, his rebus omissis, ipsas causas, quæ inter se confligunt, contendere¹² velimus : ex eo ipso, quam valde illi jaceant, intelligere possumus. Ex hac enim parte pudor pugnat, illinc petulantia :¹³ hinc pudicitia, illinc stuprum : hinc fides, illinc fraudatio : hinc pietas, illinc scelus : hinc constantia, illinc furor : hinc honestas, illinc turpitude : hinc continentia, illinc libido : denique æquitas, temperantia, fortitudo, prudentia, virtutes omnes certant cum iniquitate, cum luxuria, cum ignavia, cum temeritate, cum vitiis omnibus : postremo copia cum egestate, bona ratio cum perdita, mens sana cum amentia, bona denique spes cum omnium rerum desperatione confligit. In hujusmodi certamine ac prælio, nonne, etiam, si hominum

canus first formed this corps, and an imitation of it by Augustus, gave rise to the famous prætorian guards, which so frequently disposed of the imperial diadem.

3. *Confecto*] The technical word for a wounded gladiator. Similarly Hor. Ep. ii. 2. 97. 'Cædimur et totidem plagis consumimus hostem.'

4. *Ejectam*] Properly applied to 'naufragi.'

5. *Urbes*] Muret. *vires*. Al. *arces*, which is thought to be supported by Liv. xxvii. 18. 'Nec tumulos nec arcem ne mare quidem armis obstitisse suis, &c.' But 'coloniarum ac municipiorum' may be put for the people who inhabit them, to whom 'urbes' will apply.

7. *Respondebunt*] Similes sunt—cum ironia. Manut. Hor. Ep. ii. 2. 48—non responsura lacertis.

8. *Tumulis*] (A tumeo) a rising

ground, a mound, which, covered with woods, (silvestribus,) would be a fitting retreat for Catiline's adherents. Al. *cumulis*; but 'urbes' requires 'tumulis.' Supr. n. 5.

9. *Ornamenta*] By these the Delphi would understand 'senatum, equites Rom., ærarium, &c.' but Forcel. 'aliquis apparatus,' equipment, accoutrements.

10. *Suppeditamus*] Arch. 5. n. 4. Supply 'quibus autem' before 'eget.'

11. *Senatu*, &c.] This enumeration is worthy of notice as containing Cicero's opinion concerning the relative dignity of the grand constituents of the empire.

12. *Contendere*] To compare. Hor. Ep. i. 10. 26—'qui Sidonio contendere callidus ostro Nescit Aquinatam potentia vellera succum.' Rosc. A. 33. Manil. 13. n. 5.

13. *Pudor*—*petulantia*, &c.] This

studia deficiant, dii ipsi immortales cogent ab his præclarissimis virtutibus tot et tanta vitia superari?

XII. Quæ quum ita sint,¹ Quirites, vos, quemadmodum jam antea,² vestra tecta custodiis vigiliisque³ defendite : mihi,⁴ ut urbi sine vestro motu ac sine ullo tumultu satis esset præsidii, consultum ac provisum est. Coloni omnes municipesque vestri, certiores a me facti de hac nocturna excursionem Catilinæ, facile urbes suas finesque defendent : gladiatores, quam sibi ille maximam manum et certissimam fore putavit, quamquam meliore⁵ animo sunt, quam pars patriciorum, potestate tamen nostra continebuntur.⁶ Q. Metellus, quem ego, prospiciens hoc, in agrum Gallicanum Picenumque⁷ præmisi, aut opprimet⁸ hominem, aut omnes ejus motus conatusque prohibebit. Reliquis autem de rebus constituendis, maturandis, agendis,⁹ jam ad senatum referemus, quem vocari videtis.

Nunc illos, qui in urbe remanserunt, atque adeo qui contra urbis salutem omniumque vestrum in urbe a Catilina relictis sunt, quamquam sunt hostes, tamen, quia nati sunt cives, monitos eos¹¹ etiam atque etiam volo. Mea lenitas

passage is valuable for determining the precise meaning of several words. E. g. 'scelus' is not merely a breach of morals, but an affront to religion ; 'furor,' not only madness, but any conduct opposite to the firm, even tenor of the good citizen's conduct.

SECT. XII.—1. *Quæ quum ita sint*] The peroration. Introd 5.

2. *Jam antea, &c.*] Here many MSS. and editors read *ante*, and introduce *dixi*, or *dirimus*. As Cic. had not in fact so said, *edixi* has been proposed. Cat. i. 3. Sall. 30. V. E.

3. *Custodiis vigiliisque*] By day and night. Or. i. 1. 'Nocturnum præsidium.' Also n. 10, and Mil. 25. n. 7.

4. *Mihi—consultum—est*] i. e. A me; for 'ego consului.'

5. *Quamquam meliore*] 'Quamquam' is here, as in Phil. ii. 24, a correction: 'And yet, attached as it may be to Catiline, it is better affected to the state than certain patricians I could name. But with all its at-

tachment, it shall be kept within the bounds of duty.' Non, therefore, is not required before *meliore*, as Ern. thought. Sall. Cat. 17, gives a list of senators engaged in the conspiracy.

6. *Continebuntur*] The gladiators were distributed among different provincial towns. Sall. 30. V. E. Refer 'potestate nostra' to the consular authority.

7. *Gallican. Picen.*] Supr. 3. n. 1. 3.

8. *Aut opprimet*] To put down the man will be his first aim; if he fails in that, he will next endeavour to render his attempts harmless.

9. *Constituend.—agend.*] So Sall. Cat. 1, 'Priusquam incipias consulto, et, &c.—mature facto opus est.' Muret.

10. *Nati—cives*] For the conspirators, he hints, had among them enfranchised slaves, gladiators, &c.—Those that remained in the city, however, were native citizens.

11. *Monitos eos*] The pronoun is

adhuc si cui solutio¹² visa est, hoc exspectavit, ut id, quod latebat, erumperet.¹³ Quod reliquum est,¹⁴ jam non possum oblivisci, meam hanc esse patriam, me horum esse consulem : mihi aut cum his vivendum, aut pro his esse moriendum.— Nullus est portæ custos, nullus insidiator viæ : si qui exire volunt, consulere sibi possunt ; qui vero in urbe se commoverit,¹⁵ cujus ego non modo factum, sed inceptum ullum conatumve contra patriam deprehendero ; sentiet¹⁶ in hac urbe esse consules vigilantes, esse egregios magistratus,¹⁷ esse fortem senatum, esse arma, esse carcerem :¹⁸ quem vindicem nefariorum ac manifestorum scelerum majores nostri esse voluerunt.)

XIII. Atque hæc omnia sic agentur, Quirites, ut res maximæ minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum, post hominum memoriam crudelissimum ac maximum, me uno togato duce¹ et imperatore, sedetur. Quod ego sic administrabo, Quirites, ut, si ullo modo fieri poterit, ne improbus quidem quisquam in hac urbe pœnam sui sceleris sufferat. Sed si vis manifestæ audaciæ, si impendens patriæ periculum me necessario de hac animi lenitate deduxerit :² illud profecto perficiam, quod in tanto et tam insidioso bello vix optandum³ videtur, ut neque bonus quisquam intereat, paucorumque pœna vos jam omnes

omitted by Ern. and other editors.—
V. E.

12. *Solutior*] Opposed to 'severior,' or the like. Mil. 13. n. 13.

13. *Erumperet*] Mil. 23. n. 15.

14. *Quod reliquum est*] Sc. 'quoad quod, &c.'

15. *Se commoverit*] Mil. 31. n. 13, where *qui* is, by accident, omitted before 'aliquid.'

16. *Sentiet*] Verbum usitatum in comminando. Terent. 'Sentiet qui vir siem.' Muret.

17. *Magistratus*] Tribunes. Weiske. V. E.

18. *Carcer*.] Cic. here declares that the intention of the old Romans, in building a prison, was to punish the evil-doer ; whereas, Ulpian says, that it was to deter him from committing crimes. But it does not appear how these two objects can be well sepa-

rated. This was more than a vain threat in Cic. Vid. Sall. Cat. 62.

SECT. XIII.—1. *Togato duce*] When the consuls set out on any military expedition, they changed their gowns for a military dress. This conspiracy, Cic. promises, shall be quelled whilst he wears the garb of peace. V. E. Hence the boast which cost him so dear : 'Cedant arma togæ.'

2. *Deduxerit*] Where many subjects are named, the last being of importance and expressed in several words, the verb is often found in the singular, as *sedetur* in the preceding sentence. Weiske. Al. *deduxerit*.—V. E.

3. *Quod—vix optandum*] People seldom wish impossibilities, at least it is useless to do so. So Manil. 9. 'Tantum victus efficere potuit, quantum incolumis nunquam est ausus op-

salvi esse possitis. Quæ quidem ego neque mea prudentia, neque humanis consiliis fretus polliceor vobis, Quirites; sed multis, et non dubiis deorum immortalium significationibus,⁴ quibus ego ducibus in hanc spem sententiamque sum ingressus: qui jam non procul,⁵ ut quondam solebant, ab externo hoste atque longinquo; sed hic præsentibus suo numine atque auxilio sua templa atque urbis tecta defendunt: quos vos, Quirites, precari, venerari⁶ atque implorare debetis, ut, quam urbem pulcherrimam, florentissimam potentissimamque esse voluerunt, hanc, omnibus hostium copiis terra marique superatis, a perditissimorum civium nefario scelere defendant.

tare. Hence 'vix opt.' is like our expression 'hardly to be thought of,' applied to things unlikely to take place. The note of Manut. is: 'Potius enim optandum videtur ut in tanto, &c., multi improbi morte multarentur;' i. e. he took 'optandum' in its ordinary sense, but referred it only to 'paucorum poena;' which the structure of the sentence seems to forbid.

4. *Significationibus*] The verb *significo* was appropriate to the Aruspices. Tibull. ii. 1. 26. De Div. i. 1. 'Quid sibi significant, trepidantia consulit exta.' Metam. xv. 576. V. E. A bright flame stated by Plut. Cic. 20, to have issued from the altar at Cicero's house, while his wife and the

matrons were sacrificing to Bona Dea, is usually given as an instance of these omens.

5. *Non jam procul*] The vulgar thought that the gods varied their distance from a place according as their assistance was required; but still that they acted so much the better for being near at hand. Hence he says 'præsentibus.' The Delph. refers 'procul, &c.' to the occasions in which the Romans were unsuccessful, e. g. the Gallic and second Punic war; but this is unnecessary.

6. *Venerari*] To beseech, Hor. Sat. ii. 6. Si veneror stultus nihil horum.

M. TULLII CICERONIS

IN

LUCIUM CATILINAM,

TERTIA*

AD QUIRITES

ORATIO.

I. REMPUBLICAM,¹ Quirites, vitamque omnium vestrûm, bona,² fortunas, conjuges, liberosque vestros, atque hoc domicilium clarissimi imperii, fortunatissimam³ pulcherrimamque urbem, hodierno die,⁴ deorum immortalium summo erga vos amore,⁵ laboribus, consiliis, periculisque meis,⁶ ex flamma atque ferro,⁷ ac pæne ex faucibus fati⁸ ereptam, et vobis conservatam ac restitutam videtis. Et, si⁹ non minus nobis jucundi atque illustres sunt ii dies, quibus conservamur,¹⁰ quam illi,

* Vid. Introd. 7.

SECT. I.—1. *Remp.*] An amplification; as Or. i. 5. n. 10; ‘universam remp. petis.’

2. *Bona*] Τὰ ὑπάρχοντα, synonymous with ‘fortunas.’ Muret.—The Delph., however, restricts the latter to ‘pecuniæ.’

3. *Fortunatissimam*] Ευδαιμονέστατην.

4. *Hodierno die*] The third of Decr. Introd. 6. Att. ii. 1.

5. *Deorum—amore*] Post deos seipsum ponendo, beneficium auget.—Schol.

6. *Periculis meis*] Cic. does not

seem to make any account of his colleague, C. Antony.

7. *Flamma ferro*] Or. ii. 9. n. 7.

8. *Faucibus fati*] An obvious metaphor from wild beasts; ‘fati,’ here, is merely ‘death,’ as κῆρ with the Greeks. Phil. ii. 1.

9. *Et, si non minus*] *Et si*, seems put for *quod si*, as in the Phormio of Terence ‘et si tibi res sit cum eo lenone;’ where Donat. remarks, that *et* is not only a connective but inceptive particle. Muret.

10. *Jucundi—quibus conservamur*] This is natural. So Hor. Carm. iii. 8, ‘Voveram dulces epulas, et album

quibus nascimur; quod salutis certa lætitia est, nascendi incerta conditio,¹¹ et quod sine sensu nascimur, cum voluptate servamur: profecto, quoniam illum, qui hanc urbem condidit, ad deos immortales¹² benevolentia famaue sustulimus,¹³ esse apud vos posterosque vestros in honore debebit is,¹⁴ qui eandem hanc urbem conditam amplificatamque servavit. Nam toti urbi,¹⁵ templis, delubris, tectis ac mœnibus subjectos prope jam ignes circumdatosque restinximus; iidemque gladios in rempublicam destinctos retudimus, mucronesque eorum a jugulis vestris dejecimus. Quæ quoniam in senatu illustrata, patefacta, comperta sunt per me; vobis jam exponam breviter, Quirites: ut et quanta, et quam manifesta, et qua ratione investigata et comprehensa sint, vos, qui ignoratis, et expectatis,¹⁶ scire possitis.

Principio,¹⁷ ut Catilina paucis¹⁸ ante diebus erupit ex urbe, quum sceleris sui socios, hujusce nefarii belli acerrimos duces Romæ reliquisset: semper vigilavi¹⁹ et providi, Quirites, quemadmodum in tantis et tam absconditis insidiis salvi esse possemus.

Libero caprum prope funeratus Arboris ictu.'

11. *Nascendi incerta conditio*] So the Trausi, a Thracian tribe, used to lament over the birth, and rejoice at the death, of a human being. Herod. v. 4.

12. *Ad deos immortales*] The apotheosis of Romulus is told Liv. i. 16. Vid. also Aurel. Vict. c. 2.—Hor. Carm. iii. 3,—'Hac Quirinus Martis equis Acheronta fugit;' and Ep. ii. 1. 'Romulus—deorum in templa recepti.' Numa added a flamen, called Quirinalis, and appointed a feast called Quirinalia, which was held on the seventeenth of February.

13. *Famaue sustulimus*] 'Suscepit autem vita hominum consuetudine communi, ut beneficiis excellentes viros in cœlum, fama ac voluntate, tollerent.' De Nat. Deor. ii. 24. Tusc. i. 12. V. E.

14. *Debebit is*] Having shown that Romulus, the founder of the city, was deified, he hints that its preserver is

no less deserving of immortal renown.

15. *Toti urbi*] Al. *totius urbis*; but it is agreeable to Cicero's manner to proceed from the whole to its parts. Supr. n. 1.

16. *Expectatis*] The MSS. here vary. Al. *ex actis*; from the records of the senate's proceedings. The latter reading Weiske adopts, but suggests a different interpretation and punctuation; 'you, who have not the means of knowing the facts by reference to the senate's recorded proceedings.' V. E.

17. *Principio*] Narratio est.—Muret.

18. *Paucis*] Twenty-four. On 'erupit,' vid. Mil. 23. n. 15.

19. *Semper vigilavi*] This modest exposition of his own diligence is allowable in an orator, where his audience is to be conciliated. The 'vigils' of kings and statesmen are long on record. Hom. Il. Οὐ χρὴ παννύχιον βεληφόρον ἄνδρα καθεύδειν, &c.

II. Nam tum, quum ex urbe Catilinam ejiciebam, (non enim jam vereor hujus verbi¹ invidiam, quum illa² magis sit timenda, quod vivus exierit,) sed tum, quum illum exterminari³ volebam, aut reliquam conjuratorum manum simul exituram, aut eos, qui restitissent, infirmos sine illo ac debiles fore putabam.⁴ Atque⁵ ego, ut vidi, quos maximo furore et scelere esse inflammatos⁶ sciebam, eos nobiscum esse, et Romæ remansisse: in eo omnes dies noctesque consumpsi, ut, quid agerent, quid molirentur, sentirem ac viderem: ut quoniam auribus vestris, propter incredibilem magnitudinem⁷ sceleris, minorem fidem faceret oratio mea, rem ita comprehenderem, ut tum demum animis salutis vestræ provideretis, quum oculis⁸ maleficio ipsum videretis. Itaque ut comperi,⁹ legatos Allobrogum belli Transalpini et tumultus¹⁰

SECT. II.—1. *Hujus verbi*] Sc. 'ejiciebam.' Or. ii. 1.

2. *Illa*] Sc. 'invidia'—the odium likely to accrue from his being permitted to depart alive.

3. *Exterminari*] Ex terminis agere—ἐξοπιζειν—to banish.

4. *Nam tum—putabam*] In the present sentence the remark may be pardoned, that eighteen words, more than a third of the whole, terminate with the letter *m*. In Greek, not one word terminating with that letter has been discovered. V. E. [We may conjecture that the letter *m* was not nearly so marked a sound with the Latins as with us, from the fact of its being lost (at least in verse) before vowels; in which predicament are one half of the *m*'s in this sentence. That the Greek *ν*, so often represented in Latin by *m*, was likewise a weak letter, appears from its being often lost in Greek-Latin words, as Πλάτων, Plato. The French nasals may give us a notion how this was done.]

5. *Atque*] Scheller proposes *Atqui*. These words are frequently confounded by transcribers. V. E.

6. *Furore inflammatos*] Verr. v. 62. 'Ipse inflammatus scelere et furore, &c.'

7. *Propter magnitudinem, &c.*] For

the more atrocious the acts, the greater the difficulty of giving them credence.

8. *Oculis*] Pleonastic, but emphatic, being opposed to 'auribus vestris' preceding. So inf. 8. 'ut eos pœne oculis videre possemus.'

9. *Comperi*] By means of Q. Fabius Sanga, the patron of the Allobrogian state. Sall. Cat. 41. The Allobrogi were a people of Gallia Narbonensis. Their chief town was Vienna, on the Rhodanus (Rhône), below Lugdunum (Lyons). Hor. Epod. xvi. 6. Novisque rebus infidelis Allobrox. Their dialect was barbarous. Hence Juv. vii. 144. Rufum, qui toties Ciceronem Allobroga dixit. Introd. 6.

10. *Tumultus Gallici*] A war in Italy or Cisalpine Gaul was usually called 'tumultus,' because it alarmed the city. Liv. vii. 9. Cic. Phil. viii. 1, says it was 'gravius quam bellum;' and accuses the senate of ignorance, for calling the war against M. Antony 'tumultus,' as a softer word than 'bellum.' But Livy also must share in this charge, who says of an alarm created by the Sabines, 'tumultus fuit verius quam bellum,' intimating that it did not deserve the name of a war. Besides if it were

Gallici excitandi causa a P. Lentulo¹¹ esse sollicitatos, eosque in Galliam ad suos cives,¹² eodemque itinere¹³ cum literis mandatisque ad Catilinam esse missos, comitemque iis adjunctum T. Vulturcium,¹⁴ atque huic datas esse ad Catilinam literas: facultatem mihi oblatam putavi, ut, quod erat difficillimum, quodque ego semper optabam a diis immortalibus, tota res non solum a me, sed etiam a senatu et a vobis manifesto deprehenderetur. Itaque hesterno die¹⁵ L. Flaccum et C. Pomptinum, prætores, fortissimos atque amantissimos¹⁶ reipublicæ viros, ad me vocavi: rem omnem exposui: quid fieri placeret, ostendi. Illi autem, qui omnia de republica præclara atque egregia sentirent, sine recusatione ac sine ulla mora negotium susceperunt, et, quum advesperasceret, occulte ad pontem Mulvium¹⁷ pervenerunt, atque ibi in proximis villis¹⁸ ita bipartito fuerunt, ut Tiberis inter eos et pons interesset. Eodem autem et ipsi sine cujusquam suspitione, multos fortes viros eduxerunt, et ego ex præfectura¹⁹ Reatina complures delectos adolescentes, quorum opera in republica assidue utor, præsidio cum gladiis miseram. In-

‘gravius,’ why object to its application to Antony? The distinction, therefore, as a general one, appears quite unfounded.

11. *P. Lentulo*] Inf. 6. n. 8.

12. *Cives*] For the whole country was called ‘civitas.’ Sall. Cat. 41. ‘Cujus patrocinio civitas, &c.’

13. *Eodem. itinere*] For returning into Gaul, they would take Etruria on their way, and the Mallian camp.

14. *Vulturcium*] A native of Croto. Sall. Cat. 44.

15. *Hesterno die*] Late in the evening. Flacc. 40. ‘O nox illa, quæ poene æternas huic urbi tenebras attulisti!’

16. *Fortissim. amant.*] The former shows the ability, the latter the will, to serve their country. Flaccus after this service was made governor of Asia; and owed his acquittal, on a charge of extortion in that office, to the eloquence of Cicero. Pomptinus was promoted to the government of Gaul; and procured a triumph for

reducing these very Allobrogiens to subjection.

17. *Pontem Mulvium*] Now ‘Ponte Molle’ about three miles from the Roman forum. At this bridge the Via Flaminia commenced. Att. iii. 33.

18. *Villis*] Not ‘villages’ as Duncan, but ‘country-houses.’ And ‘bipartito fuerunt,’ were in two parties; i. e. the prætors had each a detachment of soldiers, and took post on opposite sides of the river. ‘Eos’ then must not be restricted to the prætors alone; and lest it should, Cic. adds ‘Eodem autem et ipsi—et ego, &c.’ But, *lest you may think this strange*, both the prætors themselves brought out, &c. and I had sent. This use of ‘autem’ in supplying a link in a chain of reasoning, is common. Top. 2.

19. *Præfectura*] So called from the *præfects* that came annually from Rome to administer justice. Reate was a town of the Sabines, on the

terim tertia fere vigilia exacta,²⁰ quum jam pontem Mulvium magno comitatu legati Allobrogum ingredi inciperent, unaque Vulturcius, fit in eos impetus: educuntur et ab illis gladii, et a nostris. Res erat prætoribus nota solis:²¹ ignorabatur a ceteris.

III. Tum, interventu Pomptini atque Flacci, pugna, quæ erat commissa, sedatur. Literæ, quæcunque erant in eo comitatu, integris signis, prætoribus traduntur: ipsi comprehensi, ad me, quum jam dilucesceret,¹ deducuntur. Atque horum omnium scelerum improbissimum machinatorem Cimbri² Gabinium statim ad me, nihil dum suspicantem, vocavi. Deinde item arcessitur L. Statilius, et post eum C. Cethegus. Tardissime autem Lentulus venit, credo quod literis dandis, præter consuetudinem,³ proxima nocte vigilarat.⁴ Quum vero summis ac clarissimis hujus civitatis viris, qui, audita re, frequentes ad me mane convenerant, literas a me prius aperiri, quam ad senatum deferri, placeret: ne, si nihil esset inventum, temere a me tantus tumultus injectus civitati videretur: negavi me esse facturum, ut de periculo publico non ad consilium⁵ publicum rem integram⁶ deferrem. Etenim, Quirites, si ea, quæ erant ad me delata, reperta non essent:⁷ tamen ego non arbitrabar in tantis reipublicæ periculis mihi esse nimiam diligentiam pertimescendam. Senatum frequentem celeriter, ut vidistis, coëgi.⁸ Atque interea

Nar, an eastern branch of the Tiber.

20. *Tert. fere vig. exacta*] Quatuor fere horis antequam dilucesceret. Muret.

21. *Prætoribus—solis*] Sallust, however, says that the Allobrogian deputies were also in the secret.—Cat. 41.

SECT. III.—1. *Quum jam diluc.*] So that the whole business occupied the fourth watch. Supr. 2. n. 20.

2. *Cimbrum*] Sallust (c. 17,) calls him P. Gabinius Capito. Muret. conceives 'Cimber' to be the cognomen, and that he may have had two. He belonged to the equestrian order, as did also Statilius; but Cethegus was of the 'gens Cornelia,' and a senator.

3. *Prætor consuetudinem*] Alluding to the slothful disposition of Lentulus. Hence inf. 7. 'P. Lentuli somnum,' and Sall. Cat. 58. 'Socordia atque ignavia Lentuli.'

4. *Vigilarat*] Had sat up writing letters.

5. *Consilium*] This word written with *s* is repeatedly used to signify 'the senate.' Pro Dom. 28. 'Summum est populi Rom. consilium senatus.'

6. *Integram*] Just as it was. Ligar. 1. n. 13. Liv. ii. 5. 'Res integra refertur ad Patres.'

7. *Reperta non essent*] Namely, by the letters and confusion of Gabinius, &c.

8. *Senatum—ut vidistis coëgi*] In

statim, admonitu Allobrogum,⁹ C. Sulpicium,¹⁰ prætorem, fortem virum, misi, qui ex ædibus Cethegi, si quid telorum esset, efferret. Ex quibus ille maximum sicarum numerum, et gladiatorum extulit.

IV. Introduxi Vulturcium sine Gallis:¹ fidem ei publicam, jussu senatus,² dedi: hortatus sum, ut ea, quæ sciret, sine timore indicaret. Tum ille, quum vix se ex magno timore recreasset,³ [dixit:] a P. Lentulo se habere ad Catilinam mandata⁴ et literas, ut servorum præsidio⁵ uteretur, et ad urbem quam primum cum exercitu accederet: id autem eo consilio, ut, quum urbem omnibus⁶ ex partibus, quemadmodum descriptum distributumque erat, incendissent, cædemque⁷ infinitam civium fecissent, præsto esset ille,⁸ qui et fugientes exciperet,⁹ et se cum his urbanis ducibus¹⁰ conjungeret. Introducti autem Galli, jusjurandum sibi et literas a [P.] Lentulo, Cethego, Statilio ad suam gentem datas esse dixerunt: atque ita sibi ab his et a L. Cassio¹¹ esse præscriptum, ut equitatum¹² in Italiam quam primum mitterent: pedestres sibi copias non defuturas: Lentulum autem sibi confirmasse ex fatis Sibyllinis¹³ haruspicumque responsis, se esse tertium

the temple of concord, erected on rather an elevated spot within view of the forum. V. E.

9. *Admonitu Allob.*] This shows that they were privy to the conspiracy.

10. *C. Sulpicium*] Plut., Cic. 19, testifies the same.

SECT. IV.—1. *Sine Gallis*] Of course that the parties being examined separately, any collusion might be prevented.

2. *Jussu senatus*] Which was necessary for the consul to give assurance of impunity ('fidem dedi').—Rabir. 10. 'Quæ fides, quæ potuit sine senatus consulto dari?'

3. *Recreasset*] Al. *recepisset*. But Tusc. i. 24. 'Collegit se et recreavit.'

4. *Mandata*] Sc. verbal.

5. *Serv. præsidio*] Sall. Cat. 63. 'Interea servitia repudiebat, &c.'—This, it appears, displeased Lentulus, who asks, c. 45, 'quo consilio ser-

vitia repudiet?'

6. *Omnibus*] Sall. (Cat. 43,) says twelve; Plutarch, Cic. 18, one hundred. The aqueducts, too, were to be guarded, that no one should procure water to extinguish the flames.

7. *Cædem*] The only exception made by Lentulus was, the children of Pompey. Plut. Cic. 18.

8. *Præsto ille*] Catiline.

9. *Exciperet*] A venatoribus sump-tum. Muret. So Hom. 11. iii. 107. δεδεγμένος ἐν προδοκῇσι. Hor. Carm. iii. 12. 'Celer . . . excipere aprum.'

10. *Urbanis ducibus*] Whom Catiline had left to conduct matters in the city.

11. *L. Cassio*] Inf. 7. 'Nec Cassii adipem.' He had been competitor with Cic. for the consulship.

12. *Equitatum*] The cavalry of the Gauls was highly celebrated.

13. *Fatis Sibyllinis*] Sall. Cat. 47, says 'libris Sibyllinis,' and he makes the elevation of Lentulus to de-

illum Cornelium,¹⁴ ad quem regnum hujus urbi, atque imperium pervenire esset necesse: Cinnam ante se et Sullam¹⁵ fuisse: eundemque dixisse, fatalem¹⁶ hunc esse annum ad interitum hujus urbis atque imperii, qui esset decimus annus post Virginum absolutionem,¹⁷ post Capitolii autem incensionem vicesimus.¹⁸ Hanc autem Cethego cum ceteris controversiam fuisse dixerunt: quod Lentulo et aliis, cædem Saturnalibus¹⁹ fieri, atque urbem incendi placeret; Cethego²⁰ nimium id longum videri.

V. Ac, ne longum sit, Quirites, tabellas¹ proferri jussimus, quæ a quoque dicebantur datæ. Primum ostendimus Cethego signum: cognovit. Nos linum incidimus: legimus.

pend upon their authority, and not on the 'haruspicum responsis;' to which alone he refers the calamitous 'twentieth year;' nor does he mention the 'acquittal of the vestals' at all.

14. *Tertium Cornelium*] In the 'gens Cornelia' were the Syllæ, Cinnæ, Lentuli, &c. Certain impostors (*γόνρες* Plut.) persuaded the superstitious Lentulus that the tyrannical cruelties of Sylla and Cinna were 'regna;' to a third of which he was destined. It is said that the ominous words were 'tria K. K. K. pessima.' These the Greeks referred to the Capadocians, the Cilicians and Cretans; the Romans to three Cornelii. Or. iv. 1. 'P. Lentulus suum nomen fatale ad perniciem reip. putavit.'

15. *Cinna—Sulla*] These two great men, though of the same patrician family, took opposite sides in politics: Cinna being a partisan of Marius, while Sylla supported the 'optimates.' It was during the absence of Sylla, in the Mithridatic war, that Cinna obtained his short-lived power. It is doing the greatest violence to language to apply 'regnum' to the detestable tyranny of either one or other.

16. *Fatalem*] Fated. Hor. Ep. ii. 1. 'Fatalesque labores.'

17. *Virginum absolutionem*] Their advocate was M. Piso. Brut. 67. Fabia, the sister of Terentia, the wife of Cicero, is usually mentioned as one, but it cannot be shown that her case occurred ten years before. It is alluded to by Cic., Tog. Cand., who says 'nulla culpa subesset.'

18. *Post Capitolii — vicesimus*] Therefore it happened, A. U. 670. Tac. Hist. iii. 72. It was rebuilt by Q. Catulus in the consulship of Hortensius and Metellus Creticus, A. U. 684.

19. *Saturnalibus*] We learn from Macrobius, i. 10, that the seventeenth of December was the anniversary of this feast. Hence Hor. Sat. ii. 7. 'Libertate Decembri.' It was so called from Saturn, under whose reign there were no slaves. It was at first limited to one day, Liv. ii. 21; but was afterwards extended to five, or according to some, seven. This attack on the city may be alluded to by Virg. ii. 265. 'Invadunt urbem somno vinoque sepultam.'

20. *Cethego*] Hence inf. 7. 'C. Cethegi furiosam temeritatem.' Sall. too, (Cat. 43,) says 'Natura ferox, manu promptus, maximum bonum in celeritate putabat.' Or. iv. 6. 'Cethegi—furor in vestra cæde bacchan-tis.'

SECT. V.—1. *Tabellas*] i. e. Li-

Erat scriptum ipsius manu² Allobrogum senatui et populo, sese, quæ eorum legatis confirmasset, esse facturum: orare, ut item illi facerent, quæ sibi legati eorum recepissent.³ Tum Cethegus, qui paullo ante aliquid tamen⁴ de gladiis ac sicis, quæ apud ipsum erant deprehensæ, respondisset, dixissetque, se semper bonorum ferramentorum studiosum fuisse: recitatis literis debilitatus atque abjectus, conscientia convictus, repente conticuit.⁵ Introductus est Statilius: cognovit et manum suam. Recitatae sunt tabellæ in eandem fere sententiam: confessus est. Tum ostendi tabellas Lentulo, et quæsiui, cognosceretne signum. Annuit.—“Est vero, inquam, notum signum,⁶ imago avi tui, clarissimi viri, qui amavit unice⁷ patriam et cives suos: quæ quidem te a tanto scelere etiam muta revocare debuit.”—Leguntur eadem ratione ad senatum Allobrogum populumque literæ. Si quid de his rebus dicere vellet, feci potestatem.⁸ Atque ille primo quidem negavit:⁹ post autem aliquanto, toto jam indicio exposito atque edito, surrexit:¹⁰ quæsivit a Gallis, quid sibi esset cum iis: quamobrem domum suam venissent; itemque a Vulturcio. Qui quum illi breviter constanterque respon-

teras. Pis. 17. ‘Ne tum quidem, tabulas Romam cum laurea mittere audebas?’ These tablets were usually bound with a thread, and sealed with the writer’s seal.

2. *Ipsius manu*] For men of rank at Rome, on ordinary occasions employed amanuenses.

3. *Recepissent*] Had engaged to do. Phil. v. 18. ‘Promitto, recipio, C. Cæsarem talem semper fore, &c.’ Al. *præcepissent*. As ‘sese’ preceding, so ‘sibi’ is to be referred to Cethegus, not to ‘legati.’

4. *Tamen*] In some MSS. *tamen* is omitted; but it seems to intimate that Cethegus at first had attempted some defence, though he afterwards yielded.

5. *Repente conticuit*] This is so unlike what might have been expected from the character of Cethegus, c. 4. n. 20, that Weiske suspects some error or omission. We can only say with Cic., Mil. 23, ‘Magna est

vis conscientiæ.’ And inf., ‘quanta conscientiæ vis esset ostendit.’

6. *Notum signum*] The ancients had miniatures of themselves or ancestors on their seals. The ‘avus’ of Lentulus was P. Lentulus, consul, A. U. 591, and ‘princeps senatus.’ Cat. iv. 6. It may be added that other impressions were sometimes used. Thus Sylla sealed with a representation of the fall of Jugurtha, Augustus with the image of a sphinx, &c., Mæcenæ with a frog.

7. *Amavit unice*] Ἐμφατικῶς, the country and citizens that you are planning to destroy.

8. *Feci potestatem*] Granted permission. Sall. Cat. 48. ‘Neque amplius potestatem faciundam.’

9. *Negavit*] Sc. se velle quicquam de his rebus dicere. Muret.

10. *Surrexit*] Senators spoke standing. Of course Lentulus had no notion as yet that the deputies had betrayed him.

dissent, per quem¹¹ ad eum, quotiesque venissent, quæsis-
sentque ab eo, nihilne secum esset de fatis Sibyllinis locutus :
tum ille subito, scelere demens, quanta conscientiæ vis esset,
ostendit. Nam, quum id posset infitiri, repente præter opi-
nionem omnium confessus est. Ita eum non modo ingenium
illud, et dicendi exercitatio,¹² qua semper valuit, sed etiam,
propter vim sceleris manifesti atque deprehensi, impuden-
tia, qua superabat omnes, improbitasque defecit. Vultur-
cius vero subito proferri literas atque aperiri jussit, quas
sibi a Lentulo ad Catilinam datas esse dicebat. Atque ibi
vehementissime perturbatus Lentulus, tamen et signum suum
et manum cognovit. Erant autem scriptæ sine nomine, sed
ita : ‘ Qui sim,¹³ ex eo, quem ad te misi, scies. Cura, ut vir
sis, et quem in locum¹⁴ sis progressus cogita, et vide, quid
jam tibi sit necesse. Cura, ut omnium tibi auxilia adjungas,
etiam infimorum.’ Gabinius deinde introductus, quum pri-
mo impudenter respondere cœpisset, ad extremum nihil ex
iis, quæ Galli insimulabant, negavit. Ac mihi quidem,
Quirites, quum illa certissima sunt visa argumenta atque in-
dicia sceleris, tabellæ, signa, manus, denique uniuscujusque
confessio, tum multo illa certiora,¹⁵ color, oculi, vultus, taci-
turnitas. Sic enim obstupuerant, sic terram intuebantur, sic
furtim nonnunquam inter se adspiciebant, ut non jam ab aliis
indicari, sed indicare se ipsi viderentur.

VI. Indiciis expositis atque editis, Quirites, senatum con-
sului, de summa republica¹ quid fieri placeret. Dictæ
sunt a principibus² acerrimæ ac fortissimæ sententiæ, quas

11. *Per quem*] Sc. Umbrenus. He is mentioned in the following sec-
tion, and Sall. Cat. 40.

12. *Dicendi exercitatio*] Cic., in Brut. 64, reckons him among the orators, the equals of Hortensius.

13. *Qui sim*] The terms of this letter do not exactly agree with Sal-
lust, 44. This in the text probably is the more correct transcript.—
V. E.

14. *Quem in locum*] For the senate had decreed him a public enemy.—
There was now, therefore, no way of retreat.

15. *Multo illa certiora*] Here are

well represented some of the advan-
tages of public examination, com-
pared with written testimony. Black-
stone, iii. 23. V. E.

SECT. VI.—1. *De summa rep.*] Al.
reip. The public safety. This was
the usual form whenever the motion
was not specified.

2. *A principibus*] Muret. here no-
tices an iambic tetrameter. The opi-
nions and votes of the consuls elect
were usually taken first. Sall. Cat.
50; next, of the princeps senatûs,
then of the consulares, prætorii, &c.
in order. It was usual to ask the
opinion of the prætors, ædiles, &c.

senatus sine ulla varietate³ est consecutus. Et quoniam nondum est perscriptum senatusconsultum, ex memoria vobis, Quirites, quid senatus censuerit, exponam. Primum mihi gratiæ verbis amplissimis aguntur,⁴ quod virtute, consilio, providentia mea, respublica periculis sit maximis liberata: deinde L. Flaccus et C. Pomptinus,⁵ prætores, quod eorum opera forti fidelique usus essem,⁶ merito ac jure laudantur: atque etiam viro forti, collegæ meo,⁷ laus impertitur, quod eos, qui hujus conjurationis participes fuissent, a suis et a reipublicæ consiliis⁸ removisset. Atque ita censuerunt, ut P. Lentulus⁹ quum se prætura abdicasset, tum in custodiam¹⁰ traderetur: itemque uti C. Cethegus, L. Statilius, P. Gabinius, qui omnes præsentēs¹¹ erant, in custodiam traderentur: atque idem hoc decretum est in L. Cassium, qui sibi procurationem incendendæ urbis depoposcerat: in M. Cæparium,¹² cui ad sollicitandos pastores Apuliam esse attributam, erat indicatum: in P. Furium,¹³ qui est ex iis co-

elect, before the rest of their order. So Cic., Verr. v. 14, among the privileges of an ædile elect, places 'antiquiorem in senatu sententiæ dicendæ locum.'

3. *Sine ulla var.*] Without a dissenting voice. Al. *Sine mora*. V. E.

4. *Gratiæ—aguntur*] Mil. 35. n. 18.

5. *Flaccus—Pomptinus*] Supr. 2. n. 16.

6. *Usus essem*] Had found. Or. ii. 8. n. 16.

7. *Collegæ meo*] C. Antonius, who was under strong suspicion of favouring Catiline. Sall. 21. Cic. had secured him to the republic by ceding to him the province of Macedonia ('pactione provinciæ,' Sall. 26,) for the mal-administration of which he was afterwards sentenced to perpetual banishment. Liv. Epit. ciii. He was afterwards restored, it is supposed by Julius Cæsar. Phil. ii. 38.

8. *Consiliis*] 'Suis,' counsels affecting Antonius in his private capacity; 'reip.' as consul. So Brut. 1. 'Cessit e vita suo magis, quam civium suorum tempore.' But as this dis-

inction is rather forced, Sch. would omit *reipub.* or write *de repub.*

9. *P. Lentulus.*] Sc. Sura. He had been consul with Aufidius, A. V. 682, but was, the following year, removed from the senate by the censors, Gellius and Lentulus. In order to regain the senatorian dignity, he was obliged to commence the gradation of offices anew. This accounts for a man, 'qui consulare imperium Romæ habuerat,' Sall. 55, now holding the office of prætor. As there was a scruple to imprison a magistrate, this office he was obliged to lay down. Or. iv. 3.

10. *Custodiam*] Εἰς ἀδεσμον φυλακήν. Plut. Cic. 19. 'In liberis custodiis.' Sall. 47.

11. *Omnes præsentēs*] For those mentioned afterwards had, probably, not been then apprehended.

12. *Cæparium*] He was a native of Tarracina, and was one of those afterwards strangled in prison. Sall. 55.

13. *P. Furium*] Being of Fesulæ, it is conjectured that he is the 'Fesulanus' who fell in the battle at

lonis, quos Fesulas L. Sulla deduxit: in Q. Manlium Chilonem, qui una com hoc Furio semper erat in hac Allobrogum sollicitatione versatus: in P. Umbrenum, libertinum hominem, a quo primum Gallos ad Gabinium¹⁴ perductos esse constabat. Atque ea lenitate senatus est usus, Quirites, ut ex tanta conjuratione, tantaque vi ac multitudine domesticorum hostium, novem hominum perditissimorum poena,¹⁵ republica conservata, reliquorum mentes sanari posse arbitrentur. Atque etiam supplicatio¹⁶ diis immortalibus pro singulari eorum merito meo nomine decreta est, Quirites: quod mihi primum post hanc urbem conditam togato contigit: et his decreta verbis est, 'Quod urbem incendiis, cæde cives, Italiam bello liberassem.' Quæ supplicatio si cum ceteris supplicationibus conferatur, Quirites, hoc intersit,¹⁷ quod ceteræ bene gesta, hæc una, conservata republica, constituta est. Atque illud, quod faciendum primum fuit, factum atque transactum¹⁸ est. Nam P. Lentulus, quamquam patefactus indiciis et confessionibus suis, iudicio senatus, non modo prætoris jus, verum etiam civis amiserat, tamen magistratu se abdicavit: ut, quæ religio C. Mario, clarissimo viro, non fuerat, quo minus C. Glauciam,¹⁹ de quo

Pistoria. Sall. 59.

14. *Gallos ad Gabin.]* Sall. 40, says that it was to the house of D. Brutus the deputies were taken, and Gabinus sent for there.

15. *Novem—poena]* Of these, five were put to death. Sull. 11. 'Quinque hominibus comprehensis atque confossis.'

16. *Supplicatio]* This honour is repeatedly mentioned by himself and other writers. Sull. 30. Quint. ii.

17. 'Supplicationes, qui maximus honor victoribus bello ducibus datur, in toga meruit.' L. Cotta was the senator who proposed it. Phil. ii. 6.

17. *Intersit]* Al. *interest*. Modestius est intersit; τῆρο διαφέρει ἄν. Ern.

18. *Factum atq. transactum]* Technical phraseology, expressing that all had been in due form completed.—V. E. This important point was the resignation of Lentulus, with a view to

his suffering punishment when reduced to the rank of a citizen. For it was considered a matter of conscience not to punish magistrates who had been appointed at the comitia established by auspices. To do so would have been 'obstringere populum Rom. religione;' Phil. ii. 33. To avoid this, it was usual to *oblige* the magistrates who were impeached to resign; which we find was the case with Lentulus. Or. iv. 3. 'P. Lentulum, ut se abdicaret prætura, coëgistis.' And it is with this restriction that the word 'abdicavit' must be here understood, as it is absurd to suppose that Lentulus resigned office merely to free his prosecutors from the odium attached to the punishment of those who, in the eye of religion, were 'sacrosancti.'

19. *C. Glauciam]* A creature of Saturninus, whom he raised to the prætorship, and designed to make

nihil nominatim erat decretum, prætorem occideret, ea nos religione in privato P. Lentulo puniendo liberaremur.

VII. Nunc, quoniam,¹ Quirites, sceleratissimi periculosissimique belli nefarios duces captos jam et comprehensos tenetis, existimare debetis, omnes Catilinæ copias, omnes spes atque opes, his depulsis urbis periculis, concidisse.— Quem quidem ego quum ex urbe pellebam, hoc providebam animo, Quirites, remoto Catilina, nec mihi esse P. Lentuli somnum,² nec L. Cassii adipem,³ nec C. Cethegi furiosam temeritatem⁴ pertimescendam. Ille erat unus timendus ex his omnibus, sed tamdiu, dum mœnibus urbis continebatur. Omnia norat, omnium aditus tenebat:⁵ appellare, tentare, sollicitare poterat, audebat: erat ei consilium ad facinus aptum: consilio autem neque lingua, neque manus deerat.— Jam ad certas res conficiendas certos homines delectos ac descriptos habebat. Neque vero, quum aliquid mandaverat, confectum putabat. Nihil erat, quod non ipse obiret, occurreret, vigilaret, laboraret: frigus, sitim, famem ferre⁶ poterat. Hunc ego hominem tam acrem, tam paratum, tam audacem, tam callidum, tam in scelere vigilantem, tam in perditis rebus diligentem, nisi ex domesticis insidiis in castrense latrocinium compulsem, (dicam id, quod sentio, Quirites,) non facile hanc tantam molem mali a cervicibus vestris depulsem. Non ille⁷ nobis Saturnalia constituisset, neque tanto ante exitii ac fati diem reipublicæ denuntiasset, neque commisisset, ut signum, ut literæ suæ testes denique

consul. He was slain by Marius in the capitol, along with his patron. Liv. Epit. 69. Mil. 3. n. 2.

Cic. seems to think the senate, and therefore himself, deserving of great praise, for their piety in respecting those scruples which Marius had disregarded, yet Marius had not the ground for punishing Glaucia that they had for punishing Lentulus, Lentulus being named in the decree.

SECT. VII.—1. *Nunc quoniam, &c.*] Cic. proceeds to encourage the citizens, and point out the importance of Catiline's expulsion from the city which had enabled him so easily to crush his remaining accomplices.

2. *Lentuli somnum*] Cic. here affects to speak contemptuously of the abilities of Lentulus, but he elsewhere admits his talents as an orator. A long course of vice had, it is probable, impaired his powers. Supr. 3. n. 3.

3. *Cassii adipem*] Supr. 4. n. 11.

4. *Cethegi—temeritatem*] Supr. 4. n. 20.

5. *Omnium—aditus tenebat*] 'Sola viri molles aditus et tempora noras.' Æn. iv. 425. V. E.

6. *Frigus—ferre*] Or. i. 10. 'Patientiam famis, frigoris, &c.'

7. *Non ille, &c.*] He would not, like the others, have appointed so dis-

manifesti sceleris deprehenderentur. Quæ nunc, illo absente, sic gesta sunt, ut nullum in privata domo furtum unquam sit tam palam inventum, quam hæc tanta in republica⁸ conjuratio manifesto inventa atque deprehensa est. Quod si Catilina in urbe ad hanc diem remansisset: quamquam, quoad fuit, omnibus ejus consiliis occurri atque obstiti, tamen, ut levissime⁹ dicam, dimicandum nobis cum illo fuisset, neque nos unquam, dum ille in urbe hostis fuisset, tantis periculis rempublicam, tanta pace, tanto otio, tanto silentio, liberasset.

VIII. Quamquam¹ hæc omnia, Quirites, ita sunt a me administrata, ut deorum immortalium nutu atque consilio et gesta et provisa esse videantur. Idque quum conjectura consequi possumus, quod vix videtur humani² consilii tantarum rerum gubernatio esse potuisse; tum vero³ ita præsentibus⁴ his temporibus opem et auxilium nobis tulerunt,⁵ ut eos pæne oculis⁶ videre possemus. Nam, ut illa omittam,⁷ visas nocturno tempore ab occidente⁸ faces ardoremque cæli,⁹ ut fulminum jactus, ut terræ motus, ceteraque, quæ tam multa, nobis consulibus, facta sunt, ut hæc, quæ nunc fiunt, canere dii immortales viderentur: hoc certe, Quirites, quod sum

tant a day for the execution of his schemes, &c. The Saturnalia was about a fortnight from the present time. Supr. 4. n. 19.

8. *In republica*] Opposed to 'privata domo.' Al. *rempublicam*, i. e. conspiracy against the republic.

9. *Ut levissime*] He merely says 'dimicandum,' when he might have presented to their view a picture of the horrors of a civil war.

SECT. VIII.—1. *Quamquam*] 'And yet all these difficult affairs have been conducted by me so prosperously as to put it past dispute that they were owing to the special interposition of providence.' As usual he gives weight to his own acts by attributing them to the gods.

2. *Vir — humani*] Mil. 31. Non est humano consilio, ne mediocri quidem, deorum immortalium cura, &c.

3. *Idque quum — tum vero*] 'And

not only may we conjecture this, that the direction, &c., but what is more, they have so obviously, &c.' 'Quum—tum,' generally gives a greater emphasis to the latter of the two propositions united, which is often increased by the addition of *vero*, *certe*, &c. to *tum*.' Zumpt, c. 63.

4. *Præsentes*] Nec tam præsentibus alibi cognoscere divos. Virg. Ecl. 1.

5. *Opem tulerunt*] By warning us as they did of the conspiracy and danger that threatened the republic. Inf. 'Hæc, quæ nunc fiunt, canere dii immortales viderentur.' 'Canere,' prædicere.

6. *Oculis*] Supr. 2. n. 8.

7. *Nam ut omittam*] Cic. himself, de Divinat. i. 11, describes these prodigies, as well as what occurred in the consulship of Cotta and Torquatus.

8. *Ab occidente*] De parte Galliarum. Schol.

9. *Faces ardoremque cæli*] Probably

dicturus, neque prætermittendum, neque relinquendum¹⁰ est. Nam profecto memoria tenetis, Cotta et Torquato consulibus,¹¹ complures in Capitolio turres¹² de cœlo esse percussas, quum et simulacra deorum immortalium depulsa sunt, et statuæ veterum hominum dejectæ, et legum æra¹³ liquefacta; tactus est etiam ille, qui hanc urbem condidit, Romulus:¹⁴ quem inauratum in Capitolio parvum atque lactentem,¹⁵ uberibus lupinis inhiantem fuisse meministis. Quo quidem tempore quum haruspices¹⁶ ex tota Etruria¹⁷ convenissent, cædes atque incendia, et legum interitum, et bellum civile ac domesticum, et totius urbis atque imperii occasum appropinquare dixerunt, nisi dii immortales omni ratione placati, suo numine prope fata ipsa flexissent.¹⁸ Itaque illorum responsis tunc et ludi decem per dies facti sunt, neque res ulla, quæ ad placandum deos pertineret, prætermissa est: iidemque jusserunt, simulacrum Jovis facere majus, et in excelso collocare, et contra, atque¹⁹ ante fuerat, ad orientem convertere: ac se sperare dixerunt, si illud signum, quod videtis, solis ortum, et forum, curiamque conspiceret, fore, ut ea consilia, quæ clam essent inita contra salutem urbis atque imperii, illustrarentur, ut a senatu populo-

the Aurora borealis. *V. E.*

10. *Prætermitt.*—*relinquend.*] *Prætermittimus* ea, quæ ne attingimus quidem: relinquimus jam suscepta. *Muret.*

11. *Cotta—consulibus*] *A. U.* 638. *Dio*, lib. 38, notices these prodigies.

12. *Turres*] *Al. res*: which *Ern.* and *Sch.* adopt. Among the objects afterwards enumerated as struck with lightning, towers are not named. *V. E.*

13. *Legum æra*] The brazen tablets on which the laws were engraved. *V. E.*

14. *Romulus*] *i. e.* The statue of *Romulus*.

15. *Lactentem*] *Æn.* viii. 630. 'Mavortis in antro Procubuisse lupam geminosque huic ubera circum.' &c.

16. *Haruspices*] A word of Etruscan origin. 'Arviga,' or 'haruga' is

the victim whose entrails were inspected; from 'arvix,' a ram, or 'hara,' a hog-sty.

17. *Ex tota Etruria*] Thence the Romans borrowed their arts of divination. *Div. i.* 12. 41. *V. E.*

18. *Nisi dii—prope fata ipsa flexissent*] These are the words of *Cic.* himself, certainly not of the *Haruspices*: by them some specific ceremonies probably would be pointed out, in order to avert the divine ire; in the performance of which, no doubt, due regard would be required to the interests of the learned *Haruspices*. *Cic.* employs the qualifying *prope*: the theological notions of the Greeks and Romans seem not to invest the Gods with this power. 'Desine fata deum flecti sperare precando.' *Æn.* vi. 376. *V. E.*

19. *Et contra atque*] 'And contrary to its former position.' 'Atque' is 'than.'

que Romano perspicui possent. Atque illud ita collocandum consules illi²⁰ locaverunt:²¹ sed tanta fuit operis tarditas, ut neque a superioribus consulibus, neque a nobis ante hodiernum diem collocaretur.

IX. Hic quis¹ potest esse, Quirites, tam aversus a vero, tam præceps, tam mente captus,² qui neget, hæc omnia, quæ videmus,³ præcipueque hanc urbem, deorum immortalium nutu atque potestate administrari? Etenim quum esset ita responsum, cædes, incendia, interitumque reipublicæ comparari, et ea per cives:⁴ quæ tum propter magnitudinem scelerum nonnullis incredibilia videbantur: ea non modo cogitata a nefariis civibus, verum etiam suscepta esse sensistis. Illud vero nonne ita præsens⁵ est, ut nutu Jovis Optimi Maximi⁶ factum esse videatur, ut, quum hodierno die mane per forum meo jussu et conjurati, et eorum indices⁷ in ædem Concordiæ⁸ ducerentur, eo ipso tempore signum statueretur?⁹ quo collocato, atque ad vos senatumque converso, omnia et senatus, et vos, quæ erant contra salutem omnia cogitata, illustrata et patefacta vidistis. Quo etiam majore sunt isti odio supplicioque digni, qui non solum vestris domiciliis atque tectis, sed etiam deorum templis atque delubris sunt funestos ac nefarios ignes inferre conati. Quibus ego si me restitisse dicam, nimium mihi sumam, et non sim ferendus: ille Jupiter restitit: ille Capitolium, ille hæc templa, ille hanc urbem, ille vos omnes salvos esse voluit. Diis ego immortalibus ducibus hanc mentem, Quirites, voluntatemque suscepi, atque ad hæc tanta indicia perveni. Jam vero illa Allobrogum sollicitatio¹⁰ sic a Lentulo ceterisque do-

20. *Consules illi*] Cotta and Torquatus.

21. *Locaverunt*] Contracted to have it so placed. So Phil. ix. 7. 'Quantique locaverint, &c.' Pers. Sat. vi. 47.

SECT. IX.—1. *Hic quis, &c.* Cic. reasons similarly in Mil. 30, 31.

2. *Mente captus*] Παράκοπος.

3. *Quæ videmus*] The system of nature.

4. *Per cives*] Al. *perditis civibus, et per cives perditos*. Most probably Cicero would adhere to the words of the response; and the latter readings are interpolated. V. E.

5. *Ita præsens*] So providential. Supr. 8. n. 4.

6. *Optimi Max.*] The highest epithets of Jupiter.

7. *Indices*] Vulturcius and his train.

8. *Ædem Concordiæ*] Where he was about to hold the senate. This temple appears to have been situated on the capitol. Phil. ii. 8.

9. *Eo ipso tempore — statueretur*] Wonderful coincidence! taking place, no doubt, in obedience to the nod of Jupiter Opt. Max. and of Cicero. V. E.

10. *Allobrogum sollicitatio*] Sall. 39. 'Lentulus, quoscumque idoneos credebatur, sollicitabat.' Among these were the envoys of the Allobrogi. c. 40. Ern. suspects that *suspecta* or the like

mesticis hostibus, tanta res tam dementer credita et ignotis et barbaris, commissæque literæ nunquam essent profecto, nisi a diis immortalibus huic tantæ audaciæ consilium esset ereptum. Quid vero? ut homines Galli ex civitate male pacata,¹¹ quæ gens¹² una restat, quæ populo Romano bellum facere et posse et non nolle videatur, spem imperii et rerum amplissimarum ultro sibi a patriciis hominibus oblatam negligerent, vestramque salutem suis opibus anteponerent: id non divinitus¹³ factum esse putatis? præsertim¹⁴ qui nos non pugnando, sed tacendo superare potuerunt.

X. Quamobrem, Quirites, quoniam ad omnia pulvinaria¹ supplicatio decreta est, celebratote illos dies² cum conjugibus ac liberis vestris. Nam multi sæpe honores diis immortalibus iusti habiti sunt ac debiti, sed profecto iustiores nunquam. Erepti enim estis ex crudelissimo ac miserrimo interitu, et erepti sine cæde, sine sanguine, sine exercitu, sine dimicatione; togati, me uno togato duce³ et imperatore vicistis. Etenim recordamini,⁴ Quirites, omnes civiles dissensiones, neque solum eas, quas⁵ audistis, sed eas,⁶ quas vosmet ipsi meministis et vidistis: L. Sulla P. Sulpicium⁷ oppressit: ex urbe eiecit C. Marium, custodem⁸ hujus urbis, multosque fortes viros partim eiecit ex civitate, partim interemit.

has fallen out after *hostibus*. As it stands the construction is: 'Now again, that tampering with the Gauls, a matter of such importance, would never have thus been so madly entrusted to those envoys, at once strangers and barbarians, nor the letters so committed by Lentulus, &c., unless, &c.'

11. *Male pacata*] Half-conquered.

12. *Quæ gens, &c.*] This was five years before Cæsar began his course of victories in Gaul.

13. *Divinitus*] Manil. 15. n. 14.

14. *Præsertim*] i. e. *Præsertim cum essent homines qui*.

SECT. X.—1. *Pulvinaria*] Mil. 27. n. 15.

2. *Illos dies*] The females and boys formed processions, and sang hymns in praise of the Gods. How many days the supplication was directed to continue, does not appear. *V. E. Hor. Carm. iv. 15. 'Cum prole matronisque nostris, &c.'*

3. *Togato duce*] Hence his boast: 'Cedant arma togæ, &c.'

4. *Etenim recordamini*] He compares this conspiracy with former attempts of a similar nature; and infers from its superior atrocity, that never were divine honours more deserved.

5. *Eas quas*] E. g. The secessions to Mons Sacer and Aventinus.

6. *Sed eas*] Which he is about to mention.

7. *P. Sulpicium*] An eloquent and powerful tribune of the people, who, A. U. 665, passing several popular laws in an unjustifiable way, was opposed by the consul Sylla, and killed by his own slave. Sylla gave the slave his freedom as a reward, but had him hurled down the Tarpeian rock as a punishment for his treachery. *Vell. Pat. ii. 18. Sulpicius is one of the speakers in the De Oratore.*

8. *Custodem*] This speech being ad-

Cn. Octavius,⁹ consul, armis ex urbe collegam suum expulit; omnis hic locus acervis corporum et civium sanguine redundavit. Superavit postea Cinna cum Mario.¹⁰ Tum vero, clarissimis viris interfectis, lumina civitatis exstincta sunt. Ultus est hujus victoriae crudelitatem postea Sulla; ne dici quidem opus est, quanta deminutione civium, et quanta calamitate reipublicæ. Dissensit M. Lepidus a clarissimo et fortissimo viro, Q. Catulo.¹¹ Attulit non tam ipsius¹² interitus reipublicæ luctum, quam ceterorum. Atque illæ dissensiones¹³ [erant hujusmodi,]¹⁴ Quirites, quæ non ad delendam, sed ad commutandam¹⁵ reipublicam pertinerent:—non illi nullam esse reipublicam, sed in ea, quæ esset, se esse principes, neque hanc urbem conflagrare, sed se in hac urbe florere voluerunt:—atque illæ tamen omnes dissensiones, quarum nulla exitium reipublicæ quæsivit, ejusmodi fuerunt, ut non reconciliatione concordiæ, sed internecione civium dijudicatae sint. In hoc autem uno post hominum memoriam maximo crudelissimoque bello, quale bellum nulla unquam barbaria cum sua gente¹⁶ gessit, quo in bello lex hæc fuit a Lentulo, Catilina, Cassio, Cethego constituta, ut omnes, qui

dressed to the citizens, Cic. does not pass over their old favourite, Marius, without bestowing on him a favourable epithet. It may allude to his conduct in the Cimbric war. Manil. 20. n. 7.

9. *Cn. Octavius*] The colleague of the celebrated Cinna, A. U. 667, whose attempt to incorporate the citizens admitted on the conclusion of the social war, with all the tribes, he successfully opposed; and according to Plut., near ten thousand of the new citizens were slain. The battle was fought in the forum. Hence 'omnis hic locus, &c.'

10. *Cinna cum Mario*] The consequence of Octavius's victory was the departure of Cinna from Rome. At Capua he prevailed on a Roman army to join him, and having, to give credit to his party, recalled Marius, whom Sylla, now in Asia, had banished, entered the city, where as Cic. says, 'lumina civitatis exstincta sunt.' Among these were M. Antonius the

orator, Catulus, Crassus, and Octavius. De Orat. iii.

11. *Lepidus—Catulo*] These were consuls A. U. 675, the year in which Sylla died. Lepidus revived the Marian party, and was opposed by Catulus and Pompey. Manil. Introd. 13.

12. *Non tam ipsius*] For he was a turbulent citizen. He died, however, a natural death.

13. *Illæ dissensiones*] 1. Between Sylla and Sulpicius. 2. Between Octavius and Cinna. 3. Between Sylla and the Marians. 4. Between Lepidus and Catulus. All of those terminated in the slaughter of the citizens; not so the present.

14. *Erant hujusmodi*] These words, probably interpolated, are expunged by Matth. V. E.

15. *Commuatandam*] For it was a struggle between the optimates and popular party for supreme command.

16. *Barbaria sua gente*] No barbarous nation, with its own people. Arch. 8. n. 18.

salva urbe¹⁷ salvi esse possent, in hostium numero ducerentur, ita me gessi, Quirites, ut omnes salvi conservaremini: et, quum hostes vestri tantum civium superfuturum putassent, quantum infinitæ cædi restitisset, tantum autem urbis, quantum flamma obire non potuisset, et urbem et cives¹⁸ integros incolumesque servavi.

XI. Quibus pro tantis rebus, Quirites, nullum ego a vobis præmium virtutis, nullum insigne honoris, nullum monumentum laudis postulo, præterquam hujus diei memoriam sempiternam. In animis ego vestris omnes triumphos meos,¹ omnia ornamenta honoris, monumenta gloriæ, laudis insignia condi et collocari volo. Nihil me mutum² potest delectare, nihil tacitum, nihil denique hujusmodi, quod etiam minus digni assequi possint. Memoria vestra, Quirites, nostræ res alentur, sermonibus crescent, literarum monumentis inveterascent et corroborabuntur;³ eandemque diem intelligo, quam spero æternam fore, et ad salutem urbis, et ad memoriam consulatus mei propagatam:⁴ unoque tempore in hac republica duos cives⁵ exstitisse, quorum alter fines vestri imperii non terræ, sed cæli regionibus⁶ terminaret, alter ejusdem imperii domicilium sedemque servaret.

17. *Salva urbe*] Should the design fail, of burning the city. *Weiske*. V. E.

18. *Et urbem et cives*] Cic. frequently reverses the order in the second enumeration, as here.

SECT. XI.—1. *Triumphos meos*] He anticipates the probability of a triumph from the provincial command which usually followed the consulship. This honour he never enjoyed, though the senate would have voted it to him after the proconsulship of Cilicia, had the public affairs permitted it. It was then on the eve of the great civil war.

2. *Nihil mutum*] No mute memorial; as for instance, a statue; nor silent, as for instance, a triumph. *Delph*.

3. *Alentur—crescent—corroborav.*] A beautiful gradation. Or. i. 12. n. 7, the metaphor was supposed to be from rearing young animals. The rearing of trees, however, is more pro-

bably in view, which agrees with 'propagatam' inf. Mil. 12. n. 13.

4. *Eandemque—propagatam*] In this sentence some undetected error remains. Orel. suggests *eandemque diem intelligo atque spero æternam fore, et ad salutem urbis, et memoriam consulatus mei propagatum iri, uno tempore*, &c. V. E. As it stands, it is almost hopeless to attempt giving it any consistent meaning. Perhaps, however, 'eandem diem,' like '*quæ* sc. tempora,' Arch. 5, may be the accusative of time; and taking 'intelligo' in the sense of 'judico,' as Or. iv. 4, 'alter intelligit, &c.' the translation may run: 'And (among these memorabilia,) I think it will be one, that on the same day, which I trust, &c. . . . and at one and the same time, there have appeared two citizens, &c.'

5. *Duos cives*] Himself and Pompey. V. E.

6. *Cæli regionibus*] The horizon

XII. Sed, quoniam earum rerum, quas ego gessi, non est eadem fortuna atque conditio, quæ illorum, qui externa bella gesserunt: quod mihi cum his vivendum est, quos vici ac subegi; illi hostes aut interfectos aut oppressos reliquerunt: vestrum est, Quirites, si ceteris sua recte facta prosunt, mihi mea ne quando obsint, providere. Mentis enim hominum audacissimorum sceleratæ ac nefariæ ne vobis nocere possent, ego providi: ne mihi noceant, vestrum est providere. Quamquam,¹ Quirites, mihi quidem ipsi nihil jam ab istis noceri potest. Magnum enim est in bonis præsidium, quod mihi in perpetuum comparatum est: magna² in republica dignitas, quæ me semper tacita defendet: magna vis est conscientiæ, quam qui negligent, quum me violare volent, se ipsi indicabunt. Est etiam in nobis is animus, Quirites, ut non modo nullius audaciæ cedamus, sed etiam omnes improbos ultro semper lacessamus.³ Quod si omnis impetus domesticorum hostium depulsus a vobis, se in me unum converterit: vobis erit providendum, Quirites, qua conditione posthac eos esse velitis, qui se pro salute vestra obtulerint invidiæ periculisque omnibus. Mihi quidem ipsi quid est, quod jam ad vitæ fructum possit acquiri, præsertim quum neque in honore vestro,⁴ neque in gloria virtutis quidquam videam altius, quo quidem mihi libeat adscendere? Illud perficiam profecto, Quirites, ut ea, quæ gessi in consulatu, privatus tuear atque ornem: ut, si qua est invidia⁵ in conservanda republica suscepta, lædat invidos, mihi valeat ad gloriam. Denique ita me in republica tractabo, ut meminerim semper, quæ gesserim, curemque, ut ea virtute,⁶ non casu, gesta esse vide-

itself. 'Regiones' for 'limites' is common. Arch. 10. n. 9. Similarly Virg. 'Famam qui terminet astris.' Hor. Carm. i. 1. Sublimi feriam sidera vertice.

SECT. XII.—1. *Quamquam*] A correction. 'And yet, citizens, I cannot now, &c.' Mil. 2. n. 18.

2. *Magna*, &c.] Mil. 23. n. 6.

3. *Cedamus—lacessamus*] Borrowed from war. Cic. will, of course, maintain his ground against every assault; but—he will do more—he will carry the war into the enemy's territory.

4. *Honore vestro*] Cic. did not con-

template any higher dignity than the consulship. The dictatorship was an extraordinary magistracy, to which no citizen could honestly aspire.

5. *Ut si qua—invid.*] Cic. anticipated the odium which afterwards almost overwhelmed him.

6. *Ea virtute*, &c.] Fam. v. 2. 'Hujus temeritati si virtute atque animo non restitissim; quis esset, qui me in consulatu non casu potius existimaret, quam consilio fortem fuisse?' Cic. then wished to avoid the predicament of those who 'do good by chance, and blush to find it fame.'

antur. Vos, Quirites, quoniam jam nox⁷ est, veneramini illum Jovem, custodem⁸ hujus urbis ac vestrum, atque in vestra tecta discedite : et ea, quamquam jam periculum est depulsum, tamen æque ac priore nocte fecistis, custodiis vigiliisque defendite. Id ne vobis diutius⁹ faciendum sit, atque ut in perpetua pace esse possitis, providebo,¹⁰ Quirites.

7. *Jam nox*] Plut. Cic. 19, testifies that this oration was pronounced near night.

8. *Jovem custodem*] Jupiter Stator. Or. i. 5.

9. *Id ne—diutius*] Cic. hints that

he will speedily bring the conspirators to condign punishment.

10. *In perpetua pace—providebo*] A magnificent promise : in its performance he could not but fail. *V. E.*

M. TULLII CICERONIS

IN

LUCIUM CATILINAM,

QUARTA*

HABITA IN SENATU,

ORATIO.

I. VIDEO,¹ Patres conscripti, in me omnium vestrū ora atque oculos esse conversos. Video, vos non solum de vestro ac reipublicæ, verum etiam, si id depulsum sit, de meo periculo esse sollicitos. Est mihi jucunda in malis, et grata in dolore, vestra erga me voluntas: sed eam, per deos immortales! quæso, deponite, atque obliti salutis meæ, de vobis ac de liberis vestris cogitate. Mihi [quidem] si hæc conditio consulatus² data est, ut omnes acerbitates, omnes dolores cruciatusque perferrem: feram non solum fortiter, sed etiam libenter, dummodo meis laboribus³ vobis populoque Romano dignitas salusque pariat. Ego sum ille consul, Patres conscripti, cui non forum,⁴ in quo omnis æquitas continetur; non campus, consularibus auspiciis consecratus; non curia, summum auxilium omnium gentium: non domus, commune perflugium; non lectus, ad quietem datus: non denique hæc sedes

* Vid. Introd. 8.

SECT. I.—I. *Video*] This speech is of the *deliberative* kind, there being two opinions to be contrasted.

2. *Hæc conditio cons.*] If the consulship were granted me on these

terms.—‘Data est’—fataliter concessa. *Muret.*

3. *Laboribus*] ‘Ὠδῖσι. Hence ‘pariatur.’ Virg. Georg. iv. 340. ‘Primos Lucinæ expertæ labores.’

4. *Cui non forum, &c.*] The at-

honoris, sella curulis,⁵ unquam vacua mortis periculo atque insidiis fuit. Ego multa tacui,⁶ multa pertuli, multa concessi, multa meo quodam dolore, in vestro timore,⁷ sanavi. Nunc, si hunc exitum⁸ consulatus mei dii immortales esse voluerunt, ut vos, patres conscripti, populumque Romanum ex cæde miserrima, conjuges liberosque vestros, virginesque Vestales⁹ ex acerbissima vexatione, templa atque delubra,¹⁰ hanc pulcherrimam patriam¹¹ omnium nostrum ex fœdissima flamma, totam Italiam ex bello et vastitate eriperem: quæcunque mihi uni proponetur fortuna, subeatur. Etenim, si¹² P. Lentulus suum nomen, inductus a vatibus,¹³ fatale¹⁴ ad perniciem reipublicæ fore putavit: cur ego non læter, meum consulatum ad salutem reipublicæ prope fatalem exstitisse?

II. Quare, Patres conscripti, consulite vobis, prospicite patriæ, conservate vos, conjuges, liberos fortunasque vestras, populi Romani nomen salutemque defendite: mihi parcere, ac de me cogitare desinite. Nam primum debeo sperare, omnes deos,¹ qui huic urbi præsident, pro eo mihi, ac me reor, relatores gratiam² esse; deinde, si quod obtigerit,³

tacks in the various places here enumerated are noticed, Or. i. 5. 6.

5. *Sella curulis*] These words, perhaps originally a gloss from the margin, are found in all MSS. They are omitted by Ern., Weiske, and Scheller. *V. E.* The objection is, that the 'curule chair' is not here intended, but the chief seat in the senate, where the consul sat.

6. *Multa tacui*] This prudent silence might be dictated by the suspicion, that many besides those discovered, were implicated in the conspiracy. *V. E.* *E.* g. Crassus, Cæsar, &c.

7. *In vestro timore*] Whilst your alarm prevailed. On conjecture some editors give *sine vestro*. *V. E.*

8. *Exitum*] The issue. The Delph. takes it literally—'exitus ejus consulatus imminet,' for it was now the nones of the last month; but that seems unnecessary.

9. *Vestales*] Who kept the sacred fire of Vesta. Th. ἱερία, focus.

10. *Templa—delubra*] Manil. 24.

n. 2. Arch 9. n. 23.

11. *Patriam*] Sc. *urbem*; to which alone 'flamma' is applicable. Sall. 58. 'Conjuravere—patriam incendere.'

12. *Etenim, si*] Contraria hic, tanquam paria, comparantur. *Muret.*

13. *Vatibus*] By the Sibylline books, and the interpretations of the Haruspices. Catil. iii. 4. The fatal name was Cornelius. *V. E.*

14. *Fatale*] Not 'fatal,' but 'fated.' Marcel. 10. 'fatalique bello.' Hor. Ep. ii. 1. 'Notaque fatali portenta labore subegit.' Or. iii. 4. n. 16.

SECT. II.—1. *Omnes deos*] Cic. does not specify them, because the Romans wished the name of their tutelary God, and the Latin name of the city to be unknown. Macrobb. iii. 9.

2. *Mihi—relat. gratiam*] Not strictly. For 1st, it was Jupiter, not Cic. who did the service. Hence Or. iii. 9. 'quibus ego si me restituisse dicam, nimium mihi sumam; ille Jupiter restitit.' 2nd, 'Referre' implies a bene-

æquo animo paratoque moriar. Neque enim turpis⁴ mors forti viro potest accidere, neque immatura⁵ consulari, nec misera⁶ sapienti. Nec tamen ego sum ille⁷ ferreus, qui fratris carissimi⁸ atque amantissimi præsentis mœrore non movear, horumque omnium lacrimis, a quibus me circumsessum videtis.⁹ Neque meam mentem non domum sæpe revocat exanimata uxor, abjecta metu filia, et parvulus filius, quem mihi videtur amplecti respublica tamquam obsidem¹⁰ consulatus mei: neque ille, qui exspectans hujus exitum diei, adstat in conspectu meo gener.¹¹ Moveor his rebus omnibus, sed in eam partem,¹² ut salvi sint vobiscum omnes, etiam si vis aliqua me oppresserit, potius, quam et illi, et nos una reipublicæ peste pereamus. Quare, Patres conscripti, incumbite ad reipublicæ salutem: circumspicite omnes procellas, quæ impendent, nisi providetis. Non Ti. Gracchus,¹³ qui iterum tribunus plebis fieri voluit: non C. Gracchus, qui agrarios¹⁴ concitare conatus est: non L. Saturninus, qui

fit received, but the gods are not recipients of favours.

3. *Obtigerit*] Should I be doomed to fall;—*acciderit* is the verb usually found in similar phrases; Ern. therefore condemns the use of the verb in the text, and doubts its authenticity. *V. E.* Manil. 20. n. 1.

4. *Turpis*] *Al. gravis.* Quintil, vi. 3.; which Sch. introduces into his text; adding, ‘turpem mortem forti viro accidere non posse, non atinebat mouere.’ *V. E.* Why not? ‘*Turpis*’ is when a man dies in a cowardly, disgraceful manner.

5. *Immatura*] For this would imply that the career of glory had not been completed; which did not hold. Phil. ii. 46. ‘Etenim si abhinc annos prope viginti, &c.’

6. *Misera*] For the wise man is perpetually happy. *Muret.* He means the Stoic philosopher.

7. *Ille*] i. e. Talis, ejusmodi. *Ern.*

8. *Fratris cariss.*] Q. Cicero, who, according to Plut. Cic. 20, instigated his brother to put the conspirators to death.

9. *A quibus — videtis*] ‘Videtis’

refers to all the senators; and ‘a quibus,’ to the equites and others who surrounded the chair of Cic. and even the senate-house, by way of affording protection. Phil. ii. 7. ‘Quis eques Rom. &c.’ Sall. 49. ‘Circumsessum’ is ‘circumdatum.’ *Ern.*

10. *Tanquam obsidem*] For the childless were considered to have no stake in the country, nor connexion with it. Cicero’s son was now in his second year. Att. i. 1.

11. *Gener*] C. Calpurnius Piso. Tullia’s other husbands were Crassipes and Dollabella. Manut. conceives, ‘in conspectu,’ to mean *outside* the senate-house, as Piso was only quæstor in the consulship of Gabinius and L. Piso A. v. 695, five years after this time.

12. *In eam partem*] ‘In such a direction,’ i. e. My solicitudes are so directed as to secure the general safety along with your own.

13. *Ti. Gracchus*] For the Gracchi and Saturninus, vid. Mil. 3. n. 14. 19. 20.

14. *Agrarios*] Promoters of agrarian laws.

C. Memmium¹⁵ occidit, in discrimen aliquod, atque in vestræ severitatis iudicium adducitur: tenentur ii, qui ad urbis incendium, ad vestrū omnium cædem, ad Catilinam accipiendum, Romæ restiterunt. Tenentur literæ, signa, manus, denique uniuscujusque confessio: sollicitantur Allobroges: servitia excitantur: Catilina arcessitur: id est initum consilium, ut, interfectis omnibus, nemo ne ad deplorandum quidem reipublicæ nomen, atque ad lamentandam tanti imperii calamitatem relinquatur.

III. Hæc omnia indices detulerunt, rei confessi sunt; vos multis jam iudiciis¹ iudicastis: primum, quod² mihi gratias egistis singularibus verbis, et mea virtute atque diligentia, perditorum hominum patefactam esse conjurationem decrevistis: deinde quod P. Lentulum, ut se abdicaret prætura, coëgistis:³ tum quod eum, et ceteros, de quibus iudicastis, in custodiam dandos censuistis, maximeque, quod meo nomine supplicationem⁴ decrevistis, qui honos togato habitus ante me est nemini; postremo hesterno die præmia legatis Allobrogum, Titoque Vulturcio dedistis amplissima. Quæ sunt omnia ejusmodi, ut ii, qui in custodiam nominatim⁵ dati sunt, sine ulla dubitatione a vobis damnati esse videantur.

Sed ego institui referre ad vos, Patres conscripti, tamquam integrum, et de facto, quid iudicetis, et de pœna, quid censeatis. Illa prædicam, quæ sunt consulis. Ego magnum in republica versari furorem, et nova quædam misceri et concitari mala jam pridem videbam: sed hanc tantam, tam exitiosam haberi conjurationem a civibus, nunquam putavi. Nunc, quidquid est, quocunque vestræ mentes inclinant atque sententiæ, statuendum vobis ante noc-

15. C. Memmium] This family, according to Virgil, derived its descent from Menestheus. *Æn.* v. 116. He is noticed *Brut.* 36. *Font.* 7.

SECT. III.—1. *Judiciis*] By your determinations on the several occasions enumerated. *Al. indicis.* *V. E.* Cic. however, notwithstanding these *præjudicia*, will lay the matter fairly before the senate to be decided anew.

2. *Primum, quod, &c.*] This is re-

peated from *Or.* iii. 6.

3. *P. Lentulum coëgistis*] *Or.* iii. 6. n. 9. How magistrates were compelled to resign their offices does not appear, and indeed the proceeding seems a most unjustifiable one. *Sall.* 47.

4. *Supplicationem*] *Or.* iii. 6.

5. *Nominatim*] He means Lentulus, Cethegus, &c. *Vid. Sall.* 47; who states to whom they were given in charge.

tem⁶ est. Quantum facinus ad vos delatum sit, videtis. Huic si paucos putatis affines esse, vehementer erratis. Latius opinione disseminatum est hoc malum: manavit non solum per Italiam, verum etiam transcendit⁷ Alpes, et obscure serpens, multas jam provincias occupavit. Id opprimi sustentando⁸ ac prolatando nullo pacto potest. Quacun- que ratione placet, celeriter vobis vindicandum est.

IV. Video duas adhuc esse sententias: unam D. Silani,¹ qui censet, eos, qui hæc delere conati sunt, morte esse multandos: alteram C. Cæsaris,² qui mortis poenam removet, ceterorum suppliciorum omnes acerbitates amplectitur. Uterque et pro sua dignitate et pro rerum magnitudine in summa severitate versatur. Alter eos, qui nos omnes, qui populum Romanum vita privare conati sunt, qui delere imperium, qui populi Romani nomen extinguere, punctum temporis³ frui vita et hoc communi spiritu, non putat oportere:⁴ atque hoc genus poenæ⁵ sæpe in improbos cives in hac republica esse usurpatum recordatur. Alter intelligit,⁶

6. *Ante noctem*] For two reasons: 1st, The risk was greater, of a forcible rescue, or of escape of the persons, by night, than by day. 2nd, No decree was legal, if pronounced before sunrise or after sunset. A. Gell. xiv. 7. Seneca de tranquill. Vit. 'Majores nostri novam relationem post horam decimam in senatu fieri vetabant.'

7. *Transcendit*] Is elegantly applied to crossing very high mountains. Somn. Scip. 6. 'Nam aut tuum aut cujusquam nostrum nomen vel Caucasum hunc, quem cernis, transcendere potuit?' *Verburg*.

8. *Sustentando*] 'Morando,' ut ad Q. Frat. ii. 6. *Ædificationem* Arcani ad tuum adventum sustentari placebat. *Manut*.

SECT. IV.—1. *Unam D. Silani*] Silanus was consul elect, and afterwards voted for Tiberius Nero's motion: that (according to Appian) the accused should be imprisoned till Catiline's attempt be put down, and that the matter be then fully investigated. And Plut. Cic. 21. says

that after Cæsar's speech he rose up and explained 'ultimum supplicium' by 'incarceration.'

2. *C. Cæsaris*] Prætor elect. Sall. 51. He was thought by some to have a share in the conspiracy. Cic. did not think so. Sall. 49.

3. *Punctum temporis*] A moment; the acc. of time *how long*.

4. *Alter eos—non putat oportere*] With all these designs these persons were charged, but Cicero omits to mention that as yet they had not been put on their defence, they had not been heard, they had not been convicted. Some of them were probably more guilty than others; and possibly, some one or more not guilty in any degree. *V. E.*

5. *Hoc genus poenæ*] Or. i. 11. 'Persæpe etiam privati in hac rep. perniciosos cives morte multarunt.' But this must have been before the passing of the Porcian law. Sall. 53.

6. *Alter intelligit*] i. e. Is of opinion. Or. iii. 11. n. 4. Sall. 53.

mortem a diis immortalibus non esse supplicii causa⁷ constitutam, sed aut necessitatem naturæ,⁸ aut laborum ac miseriarum quietem⁹ esse. Itaque eam sapientes¹⁰ nunquam inviti, fortes¹¹ etiam sæpe libenter oppetiverunt. Vincula vero, et ea sempiterna, certe ad singularem pœnam nefarii sceleris inventa sunt. Municipiis dispertiri jubet. Habere videtur ista res iniquitatem,¹² si imperare velis: difficultatem, si rogare. Decernatur tamen, si placet. Ego enim suscipiam,¹⁴ et, ut spero, reperiam, qui id, quod salutis omnium causa statueritis, non putent¹⁵ esse suæ dignitatis recusare. Adjungit gravem pœnam municipibus, si quis eorum vincula ruperit: horribiles custodias circumdat, et digna scelere hominum perditorum sancit, ne quis eorum pœnam, quos condemnat, aut per senatum, aut per populum levare possit:¹⁶ eripit etiam spem,¹⁷ quæ sola hominem in miseriis consolari solet. Bona præterea publicari¹⁸ jubet: vitam solam relinquit nefariis hominibus; quam si eripuisset, multos uno dolore dolores¹⁹ animi atque corporis, et omnes scelerum pœnas ademisset. Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam illi antiqui supplicia impiis constituta esse voluerunt:²⁰ quod videlicet²¹ in-

7. *Mortem — non supplicii causa*]

The author of the book of Genesis thought differently. Vid. c. 2. v. 17.

8. *Necessitatem naturæ*] By which whatever is compounded must be resolved into its original elements.

9. *Laborum—quietem*] Eurip. Hærac. 596—τὸ γὰρ θανεῖν κακῶν μέγιστον φάρμακον νομίζεται.—Muret.

10. *Eam sapientes*] For knowing death to be the result of a law of nature they willingly obey it.

11. *Fortes*] E. g. Cædricus, Curtius, the Decii, and afterwards Cato.

12. *Iniquitatem*] Because the city from which a conspirator should escape was to be ranked as an enemy to Rome. Muret. Inf. 'Adjungit gravem pœnam municipibus, &c.' But Cic. might at least have tried to redress the 'injustice' and overcome the 'difficulty.'

13. *Decernatur*] Sc. Cæsar's pro-

position.

14. *Suscipiam*] In me recipiam. Manut. I will take upon me to find.

15. *Qui non putent*] Persons who will not, &c.

16. *Ne quis—levare possit*] Sall. 55. The penalty was, the being declared a public enemy.

17. *Eripit spem*] Eurip. Phœn. 407. Αἰ δ' ἐλπίδες βόσκεισι φυγάδας.

18. *Publicari*] Under the Emperors they said 'confiscare,' from 'fiscus,' the privy-purse; and we have followed them.

19. *Multos uno dolore*] Al. *multus uno dolore*. Ern.

20. *Apud inferos—voluerunt*] Vid. Warburton, D. Leg. iii. 2. 3, where Cicero's opinions, as here expressed, are discussed. Arch. ii. n. 16.

21. *Videlicet*] Said ironically. Tusc. i, 5. 6. V. E.

telligebant, his remotis, non esse mortem ipsam pertimescendam.

V. Nunc, Patres conscripti, ego mea, video, quid intersit.¹ Si eritis secuti sententiam C. Cæsaris: quoniam hanc is in republica viam, quæ popularis habetur,² secutus est, fortasse minus erunt, hoc auctore et cognitore³ hujusce sententiæ, mihi populares impetus pertimescendi: sin illam alteram, nescio, an amplius mihi negotii contrahatur. Sed tamen meorum periculorum rationes utilitas reipublicæ vincat. Habemus enim a C. Cæsare, sicut ipsius dignitas et majorum ejus amplitudo postulabat, sententiam tamquam obsidem⁴ perpetuæ in rempublicam voluntatis. Intellectum est, quid intersit inter levitatem⁵ concionatorum,⁶ et animum vere popularem, saluti populi consulentem. Video de istis, qui se populares haberi volunt, abesse non neminem,⁷ ne de capite videlicet civium Romanorum sententiam ferat. Is et nudius tertius⁸ in custodiam cives Romanos dedit, et supplicationem mihi decrevit, et indices⁹ hesterni die maximis præmiis affecit. Jam hoc nemini dubium est, qui reo custodiam, quæsitore¹⁰ gratulationem, indici præmium decrevit, quid de tota re et causa judicarit. At vero C. Cæsar intelligit, legem Semproniam¹¹ esse de civibus Romanis constitutam: qui autem reipublicæ sit hostis, eum civem esse nullo modo posse:

SECT. V.—1. *Mea—quid intersit*] i. e. 'Quoad quid sit inter mea negotia.' In what respects my interests are concerned.

2. *Popularis habetur*] Att. xvi. 16. Popularis erat, ut nôras. Vid. Sext. 45, for the distinction between 'populares' and 'optimates.'

3. *Cognitore*] Al. *monitore*: the author and supporter of a measure. Arusp. Resp. 21. V. E.

4. *Tamquam obsidem*] As it were a pledge of his always pursuing the path of true popularity. Cæl. 32. 'Habet a M. Cælio resp. duas accusationes, vel obsides periculi, vel pignora voluntatis.' Muret. So Corn. N. Phoc. 2. Negavit esse periculum, seque ejus rei obsidem fore.

5. *Levitatem*] Al. *lenitatem*.

6. *Concionatorum*] Demagogues, whose business was to excite the peo-

ple against the nobles. 'Concio' also is often taken in a bad sense. Att. iv. 3.

7. *Non neminem*] To what individual senator Cicero here alludes, is not known. The charge of inconsistency, on account of his concurrence in the former votes, and his not being present on this occasion, is by no means evident; not even if that were his motive, which Cicero ascribes to him. V. E.

8. *Nudius*] i. e. 'Nunc dies;' and 'nudius tertius' is three days ago; or, more strictly, the day before yesterday.

9. *Indices*] Vulturcius, &c.

10. *Quæsitore*] Not strictly. Cic. could only be so named as bringing the accused to trial, not as being their judge.

11. *Legem Semproniam*] This was

denique ipsum latorem legis Semproniae jussu populi¹² pœnas reipublicæ dependisse. Idem ipsum Lentulum largitorem et prodigum¹³ non putat, quum de pernicië populi Romani, et exitio hujus urbis, tam acerbe, tamque crudeliter cogitarit, appellari posse popularem. Itaque homo mitissimus atque lenissimus non dubitat P. Lentulum æternis tenebris vinculisque mandare et sancit in posterum, ne quis hujus supplicio levando se jactare,¹⁴ et in pernicië populi Romani posthac popularis esse possit. Adjungit etiam publicationem¹⁵ bonorum, ut omnes animi cruciatus et corporis, etiam egestas ac mendicitas consequatur.

VI. Quamobrem sive hoc statueritis, dederitis mihi comitem ad concionem, populo carum atque jucundum; sive Silani sententiam sequi malueritis, facile me atque vos a crudelitatis vituperatione defendetis; atque obtinebo, eam multo leniorem fuisse.¹ Quamquam,² Patres conscripti, quæ potest esse in tanti sceleris immanitate punienda crudelitas? Ego enim de meo sensu judico. Nam ita³ mihi salva republika vobiscum perfrui liceat, ut ego, quod in hac causa vehementior sum, non atrocitate animi moveor, (quis enim est me mitior?) sed singulari quadam humanitate et misericordia. Videor enim mihi hanc urbem videre, lucem orbis terrarum atque arcem⁴ omnium gentium, subito uno incendio concidentem: cerno animo sepultam patriam, miseros atque in-

a law of C. Gracchus, 'de capite civium,' that no citizen should be condemned to death except by the people. Cic. affects to consider the conspirators as no longer citizens; and, therefore, without the pale of this law.

12. *Jussu pop.*] Without any authority from MSS. or earlier edition, Ern. confidently changes this to *injussu*. That any sentence against C. Gracchus was passed or ratified by the people, or that their assent in any form was obtained we have no proof; but Cicero may have inferred that assent from their not interfering to preserve his life, as well as from other circumstances to us unknown. Subsequent editors, Beck, Schutz, Weiske, Matthiæ, and Wetzel have not here followed Ern. V. E.

13. *Largit. et prodigum*] Meaning,

doubtless, profusion in entertainments and gifts to the people. Off. ii. 16. V. E. This agrees with Sallust's account of him, Cat. 40.

14. *Se jactare*] We say, 'shew off,' 'affect popularity.'

15. *Publicationem*] Supr. 4. n. 18.

SECT. VI.—1. *Atque obtinebo—leniorem fuisse*] Al. *leviorem*. This sentence Matth. omits, but with insufficient authority. V. E.

2. *Quamquam*] A correction.—Mil. 2. n. 18.

3. *Ita*] Is here used to introduce an optative. So Att. v. 15. 'Ita vivam, ut maximos sumtos facio.' Also Verr. v. 14.

4. *Arcem*] The citadel of the whole world. The Delph. thinks there is an allusion to the 'asylum'

sepultos acervos civium : versatur mihi ante oculos adspectus Cethegi,⁵ et furor in vestra cæde bacchantis. Quum vero mihi proposui regnantem⁶ Lentulum, sicut ipse se ex fati sperasse confessus est, purpuratum esse hunc Gabinium,⁷ cum exercitu venisse Catilinam, tum lamentationem matrum-familias,⁸ tum fugam virginum atque puerorum, ac vexationem⁹ virginum Vestalium perhorresco : et, quia mihi vehementer hæc videntur misera atque miseranda, idcirco in eos, qui ea perficere voluerunt, me severum vehementemque præbeo.¹⁰ Etenim quæro, si quis paterfamilias, liberis suis a servo interfectis, uxore occisa, incensa domo, supplicium de servo non quam¹¹ acerbissimum sumpserit : utrum is clemens ac misericors, an inhumanus et crudelissimus esse videatur ? mihi vero¹² importunus ac ferreus, qui non dolore ac cruciatu nocentis suum dolorem cruciatumque lenierit. Sic nos in his hominibus, qui nos, qui conjuges, qui liberos nostros trucidare voluerunt : qui singulas uniuscujusque nostrum domos, et hoc universum reipublicæ domicilium delere conati sunt : qui id egerunt, ut gentem Allobrogum in vestigiis¹³ hujus urbis atque in cinere deflagrati imperii collocarent : si vehementissimi fuerimus, misericordes habebimur : sin remissiores esse voluerimus, summæ nobis crudelitatis in patriæ civiumque perniciæ fama subeunda est. Nisi vero cuipiam L. Cæsar,¹⁴ vir fortissimus et amantissimus reipublicæ, cru-

of Romulus, but improbably.

5. *Adspectus Cethegi*] Or. iii. 4. n. 20.

6. *Regnantem*] Alluding to the Sibylline verses (*ex fati*) by which he was destined to monarchy.

7. *Purpuratum—Gabinium*] As one of the titled attendants in the future royal court of Lentulus. Tusc. Qu. i. 43. V. E.

8. *Matrumfamilias*] 'Familias,' the old gen. of 'familia' is added to 'pater, mater, and filius,' to distinguish them as forming part of a family establishment ; to whom, therefore, any injury done is the more heinous, as affecting private and domestic peace. Sall. Cat. 43.

9. *Vexationem*] Persecution.—These, having the care of the most

important religious rites, would be among the first to feel the effects of a sacrilegious fury.

10. *Præbeo*] 'Præ—habeo,' hold forth, show myself.

11. *Non quam*] The *non* is added from Lactant. de ira i. 17 ; who so quotes the passage. For an example of the cruelty with which Romans punished the slaves whose master was killed, vid. Tac. xiv. 42.

12. *Mihi vero*] Nay to my view he would seem not only inhuman, &c., but also devoid of the least spark of feeling, who, &c.

13. *In vestigiis*] In the vestiges which would remain after the burning of the city. Hence he adds, 'in cinere deflagrati imperii.'

14. *L. Cæsar*] Was the son of L.

delior nudius tertius est visus, quum sororis suæ, fœminæ lectissimæ, virum¹⁵ præsentem et audientem,¹⁶ vita privandum esse dixit, quum avum jussu consulis¹⁷ interfectum, filiumque¹⁸ ejus impuberem, legatum a patre missum, in carcere necatum esse dixit. Quorum quod simile factum? quod initum delendæ reipublicæ consilium? Largitionis voluntas tum in republica versata est, et partium quædam contentio. Atque illo tempore hujus avus¹⁹ Lentuli, clarissimus vir, armatus Gracchum est persecutus: ille etiam grave tum vulnus accepit, ne quid de summa republica minueretur: hic ad evertenda fundamenta reipublicæ Gallos²⁰ arcessit, servitia concitat, Catilinam vocat, attribuit nos trucidandos Cethego, ceteros cives interficiendos Gabinio, urbem inflammandam Cassio, totam Italiam vastandam diripiendamque Catilinæ. Veremini,²¹ censeo, ne in hoc scelere tam immani ac nefario nimis aliquid severe statuuisse videamini; quum multo magis sit verendum, ne remissione pœnæ crudeles in patriam, quam ne severitate animadversionis nimis vehementes in acerbissimos hostes fuisse videamur.

VII. Sed ea, quæ exaudio, Patres conscripti, dissimulare non possum. Jaciuntur¹ enim voces, quæ perveniunt ad aures meas, eorum, qui vereri videntur, ut² habeam satis præsidii ad ea, quæ vos statueritis hodierno die, transigunda. Omnia et provisa, et parata, et constituta sunt, Patres conscripti, quum mea summa cura atque diligentia, tum multo etiam majore populi Romani ad summum imperium retinen-

Julius Cæsar, who had married the daughter of M. Fulvius Flaccus, the unfortunate partner in the enterprize and punishment of C. Gracchus. Vell. Pat. ii. 7.

15. *Sororis—virum*] Lentulus.—This Julia was mother of M. Antony, of whom Cic. says, Phil. ii. 24, 'O miseræ mulieris fœcunditatem calamitosam!'

16. *Præsentem et audientem*] In the senate.

17. *Jussu consulis*] Opimius.—Mil. 3. n. 19.

18. *Filiumque*] About eighteen years old. His elder brother had fallen fighting by his father's side.

19. *Hujus avus*] The prince of the

senate. Or. iii. 5. n. 6. Val. Max. v. 3.

20. *Gallos*] The Allobrogiens.—This enumeration contains nothing new.

21. *Veremini*] Al. *vereamini*.—'Censeo' is 'credo.'

SECT. VII.—1. *Jaciuntur*] Al. *jactantur*; which Scheller and Weiske defend. 'Rem jactare in senatu.' Liv. iii. 10. xxii. 23.—'Jactare voces.' Liv. i. 46. 'preces,' iv. 42. V. E. Ern. says, '*Jactantur* conveniret amicis Catilinæ. At hic loquuntur viri boni, amici causæ Cic., sed timidi.'

2. *Vereri—ut*] Fear that I have not. Mil. 18. n. 7. Introd. 9.

dum, et ad communes fortunas conservandas voluntate.—Omnes adsunt omnium ordinum homines, omnium denique ætatum: plenum est forum, plena templa circa forum,³ pleni omnes aditus hujus loci ac templi. Causa enim est post urbem conditam hæc inventa sola, in qua omnes sentirent unum atque idem, præter eos, qui, quum sibi viderent esse pereundum, cum omnibus potius quam soli perire voluerunt. Hosce ego homines excipio et secerno libenter: neque enim in improborum civium, sed in acerbissimorum hostium numero habendos puto. Ceteri vero, dii immortales! qua frequentia, quo studio, qua virtute ad communem dignitatem salutemque consentiunt? Quid ego hic equites Romanos commemorem? qui vobis ita summam⁴ ordinis consilii que concedunt, ut vobiscum de amore reipublicæ certent: quos ex multorum annorum dissensione⁵ ad hujus ordinis societatem⁶ concordiamque revocatos, hodiernus dies vobiscum atque hæc causa conjungit: quam conjunctionem si in consulatu confirmatam meo perpetuam in republica tenuerimus, confirmo vobis, nullum posthac malum civile ac domesticum ad ullam reipublicæ partem esse venturum. Pari studio defendendæ reipublicæ convenisse video tribunos ærarios,⁷ fortissimos viros: scribas⁸ item universos: quos quum casu hic dies ad ærarium frequentasset, video ab expectatione sortis⁹ ad communem salutem esse conversos. Omnis ingenuorum adest

3. *Templa circa forum*] Mil. 1. n. 9.

4. *Summam*] i. e. 'Locum primum inter ordines, et jus de rep. deliberandi ac decernendi.' *Ern.* But Scheller observes that this use of the word is rare.

5. *Ex multorum annorum diss.*] About sixty—sc. from the passing of the Sempronian law, by which the 'judices' were chosen out of the 'equites.' These, by the Cornelian law of Sylla, were again confined to the senators; but the Aurelian law had, A. V. 683, about seven years ago, re-admitted the knights. The disputes consequent on these changes, Cic. had laboured to remove; and had so far succeeded as to form what he called 'optima respublica;' i. e.

a union of the senators and knights against the plebeians. Being based on self interest, however, this union was of short duration.—Hooke. viii. 9.

6. *Ad hujus ordinis societ.*] i. e. Conjunctionem in republ. quam communem sibi cum senatu putant.—*Ern.*

7. *Tribunos ærarios*] Through them the pay passed to the army. V. E. We say, 'paymasters.'

8. *Scribas*] An order of citizens to whom was entrusted the transcribing of the public acts, and taking notes of the proceedings of the magistrates. Their order is called by Cic. 'honestus.' Verr. iii. 79.

9. *Frequentasset—ab expectatione sortis*] They had happened, that day, to be assembled in considerable num-

multitudo, etiam tenuissimorum. Quis est enim, cui non hæc templa, adspectus urbis, possessio libertatis, lux denique hæc ipsa, et hoc commune patriæ solum quum sit carum, tum vero dulce atque jucundum?

VIII. Operæ pretium est, Patres conscripti, libertinorum hominum¹ studia cognoscere: qui sua virtute fortunam hujus civitatis² consecuti, hanc vere suam patriam esse judicant; quam quidam hinc nati et summo nati loco,³ non patriam suam, sed urbem hostium esse judicaverunt. Sed quid ego hosce homines ordinesque commemorem,⁴ quos privatae fortunæ, quos communis respublica, quos denique libertas, ea, quæ dulcissima est, ad salutem patriæ defendendam excitavit? Servus est nemo, qui modo⁵ tolerabili conditione sit servitutis, qui non audaciam civium perhorrescat; qui non hæc stare cupiat: qui non tantum, quantum audet, et quantum potest, conferat ad communem salutem, voluntatis.—Quare si quem vestrū forte commovet hoc, quod auditum est, lenonem quendam Lentuli⁶ concursare circum tabernas, pretio sperare sollicitari posse animos egentium atque imperitorum, est id quidem cœptum atque tentatum: sed nulli sunt inventi tam aut fortuna miseri, aut voluntate perdit, qui non ipsum illum sellæ⁷ atque operis et quæstus quotidiani locum, qui non cubile ac lectulum⁸ suum, qui denique non cursum hunc otiosum vitæ suæ salvum esse velint. Multo vero maxima pars eorum, qui in tabernis sunt, immo vero (id enim potius est dicendum) genus hoc universum, amantissimum est otii. Etenim omne eorum instrumentum, om-

bers, in order to distribute by lot their several offices for the coming year.—*V. E.*

SECT. VIII.—1. *Libertinorum hominum*] i. e. Of the order of libertines or freedmen. 'Liberti' was the name given them in relation to their former masters.

2. *Fortunam civitatis*] The lot which the right of citizenship bestows. The MSS. much vary in this passage. *V. E.*

3. *Summo nati loco*] E. g. Lentulus.

4. *Quid—commemorem*] Al. *commemoro*, adopted by Weiske and

Matth. Why waste time in enumerating them? 'Quid ego illa commemoro?' *Mil. 7. V. E.*

5. *Qui modo, &c.*] For slavery had its gradations. Thus the 'atrienses' et 'ordinarii' ranked higher than the 'vacarii' and 'mediastini.' *Muret.*

6. *Lenonem—Lentuli*] *Sall. 50*, says 'Liberti et pauci ex clientibus Lentuli—opifices, &c., sollicitabant.'

7. *Sellæ*] i. e. Artificium quod sedendo exercetur, unde *sellularii*, sedentary mechanics. *Forcel.*

8. *Cubile ac lectulum*] Forte vilius 'cubile' quam 'lectus,' quum illud

nis opera ac quæstus frequentia civium sustentatur, alitur otio : quorum si quæstus, oclusis⁹ tabernis, minui solet, quid tandem incensis futurum fuit.¹⁰

IX. Quæ quum¹ ita sint, Patres conscripti, vobis populi Romani præsidia non desunt : vos ne populo Romano deesse videamini, providete. Habetis consulem ex plurimis periculis² et insidiis, atque ex media morte, non ad vitam suam sed ad salutem vestram reservatum : omnes ordines³ ad conservandam rempublicam mente, voluntate, studio, virtute, voce consentiunt ; obsessa facibus et telis impiæ conjurationis, vobis supplex manus tendit patria communis : vobis se, vobis vitam omnium civium, vobis arcem et Capitolium, vobis aras Penatium,⁴ vobis illum ignem Vestæ perpetuum ac sempiternum, vobis omnia templa deorum atque delubra, vobis muros atque urbis tecta commendat. Præterea de vestra vita, de conjugum vestrarum ac liberorum anima, de fortunis omnium, de sedibus, de focis vestris, hodierno die⁵ vobis judicandum est. Habetis ducem, memorem vestri, oblitum sui, quæ non semper facultas datur : habetis omnes ordines, omnes homines, universum populum Romanum, id quod in civili causa hodierno die primum videmus, unum atque idem sentientem. Cogitate, quantis laboribus fundatum imperium, quanta virtute stabilitam libertatem, quanta deorum benignitate auctas exaggeratasque fortunas una nox⁶ quam pæne deleverit. Id ne unquam posthac non modo confici, sed ne cogitari quidem⁷ possit a civibus, hodierno die providendum est. Atque hæc, non ut vos, qui mihi studio

talpis a Virg. Georg. i. 183, assignetur. *Delph.*

9. *Oclusis*] In war, tumult, or public mourning ; 'incensis,' if the conspirators had effected their designs. *Muret.*

10. *Futurum fuit*] *Al. est.* In the present tense, the verb indicates that the fire is now about to be set to them. *Matth. V. E.*

SECT. IX.—1. *Quæ quum, &c.*] The peroration, wherein Cic. recommends the senate to support the proposition of Silanus. *Introd. 9.*

2. *Ex plurimis periculis, &c.*] *Introd. 3.*

3. *Omnes ordines*] He had just in-

stanced the knights, tribunes of the treasury, scribes, and libertines. He was addressing the senate.

4. *Penatium*] Cic. *Nat. Deor.* 27, derives 'penates' from 'penuis,' a general name for food ; or from 'penitus.' The names of the Roman 'penates' are not well ascertained, some reckoning Jupiter, Juno, and Minerva ; others adding Vesta and Mercury ; but Var. says, 'nec eorum numerum, nec nomina sciri.'

5. *Hodierno die*] To intimate the urgency of the case. *Schol.*

6. *Una nox*] That of the Saturnalia. *Catil. iii. 4. V. E.*

7. *Non modo—ne—quidem*] *Or. i.*

pæne præcurritis, excitarem, locutus sum : sed ut mea vox, quæ debet esse in republica princeps, officio functa consulari videretur.

X. Nunc antequam, Patres conscripti, ad sententiam¹ redeo, de me pauca dicam. Ego, quanta manus est conjuratorum, quam videtis esse permagnam, tantam me inimicorum multitudinem suscepisse video : sed eam esse judico turpem et infirmam, contemptam et abjectam. Quod si aliquando alicujus furore et scelere concitata manus ista plus valuerit, quam vestra ac reipublicæ dignitas : me tamen meorum factorum atque consiliorum nunquam, Patres conscripti, pœnitebit. Etenim mors, quam illi mihi fortasse minitantur, omnibus est parata :² vitæ tantam laudem, quanto vos me vestris decretis honestatis, nemo est assecutus. Ceteris enim semper bene gestæ, mihi uni conservatæ reipublicæ³ gratulationem decrevistis. Sit Scipio⁴ clarus ille, cujus consilio atque virtute Hannibal in Africam redire atque ex Italia⁵ decedere coactus est : ornetur alter eximia laude Africanus,⁶ qui duas urbes huic imperio infestissimas Carthaginem Numantiamque delevit : habeatur vir egregius L. Paullus ille,⁷ cujus currum rex potentissimus quondam et nobilissimus, Perses honestavit : sit in æterna gloria Marius,⁸ qui bis Italiam obsidione et metu servitutis liberavit : anteponatur⁹ omnibus Pompeius, cujus res gestæ atque virtutes iisdem, quibus solis cursus, regionibus¹⁰ ac terminis continentur. Erit profecto inter horum laudes aliquid loci

10. n. 4.

SECT. X.—1. *Ad sententiam*] Sc. rogandam ; to the collecting of the votes.

2. *Mors—omnibus—parata*] Eurip. Alcest. 798. Βροτοῖς ᾧπασι καρθα-
νεῖν ὀφείλεται. Muret.

3. *Bene gestæ—conservatæ reip.*] i. e. Ob bene gestam—republicam. 'Quarum gratulationem expectavi.' Fam. v. 7.—Al. *bene gesta—conservata rep.* V. E. 'Gratulatio' est supplicatio qua diis gratias agebant. Phil. xiv. 6. Græv.

4. *Sit Scipio*] Cic. shows his splendid powers of oratory by the variety of lights in which he has set the five generals, with whom he has chosen

to put himself in competition. The first is Scipio Africanus, of whom vid. Manil. 16. n. 13.

5. *In Africam—ex Italia*] Ὑστερον πρότερον. Muret.

6. *Alter—Africanus*] Manil. 20. n. 5. So Muren. 28. 'Bis consul fuerat P. Africanus, et duos terrores hujus imperii, Carthaginem Numantiamque deleverat.'

7. *Paullus*] He triumphed over Perses, A. U. 637. Vid. Plut. in vita.

8. *Marius*] Manil. 20. n. 7.

9. *Anteponatur*] Deiot. 4. 'Tanto ille superiores vicerat gloria quanto, &c.'

10. *Regionibus*] Arch. 10. n. 9.

nōstræ gloriæ: nisi forte majus est patefacere nobis provincias, quo exire possimus, quam curare, ut etiam illi, qui absunt,¹¹ habeant, quo victores revertantur. Quamquam est¹² uno loco¹³ conditio melior externæ victoriæ, quam domesticæ, quod hostes alienigenæ aut oppressi serviunt, aut recepti¹⁴ beneficio se obligatos putant: qui autem ex numero civium, dementia aliqua depravati, hostes patriæ semel esse cœperunt, eos, quum a perniciæ reipublicæ repuleris, nec vi cœercere, nec beneficio placare possis. Quare mihi cum perditis civibus æternum bellum susceptum esse video: quod ego vestro, bonorumque omnium auxilio, memoriaque tantorum periculorum, quæ non modo in hoc populo, qui servatus est, sed etiam in omnium gentium sermonibus ac mentibus semper hærebit, a me atque a meis facile propulsari posse confido. Neque ulla profecto tanta vis reperietur, quæ conjunctionem¹⁵ vestram equitumque Romanorum, et tantam conspirationem bonorum omnium perfringere et labefactare possit.

XI. Quæ quum ita sint, Patres conscripti, pro imperio, pro exercitu, pro provincia, quam neglexi,¹ pro triumpho, ceterisque laudis insignibus, quæ sunt a me propter urbis vestræque salutis custodiam repudiata, pro clientelis hospitibusque provincialibus, quæ tamen urbanis opibus non minore labore tueor, quam comparo:² pro his igitur omnibus rebus, et pro meis in vos singularibus studiis, proque hac, quam perspicitis, ad conservandam rempublicam diligentia, nihil aliud a vobis, nisi hujus temporis totiusque mei consulatus memoriam postulo: quæ dum erit vestris mentibus infixæ, firmissimo me muro sæptum esse arbitrabor. Quod si meam

11. *Illi qui absunt*] Alluding to Pompey, now engaged in the Mithridatic war. Cic., Off. i. 22, introduced Pompey acknowledging 'frustra se triumphum tertium deportaturum fuisse, nisi meo in rep. beneficio, ubi triumpharet, habiturus esset.'

12. *Quamquam*] A correction.—Mil. 2. n. 18.

13. *Uno loco*] In one respect.—V. E.

14. *Recepti*] Sc. 'in amicitiam.' Received into alliance.

15. *Conjunctionem*] Alluding to

the coalition noticed supr. 7. n. 5.

SECT. XI.—1. *Pro imperio—neglexi*] These relate to the province, to the government of which Cicero was entitled on the expiration of his consulate, and which he resigned. Had he accepted it, he might have obtained a *triumph* with the *honours* attending it, and the benefit of connecting himself with the *clients* and *hospites*, which such a command produces. Plut. Cic. 12. V. E. Or. iii. 11. n. 1.

2. *Non minore labore tueor, quam comparo*] Dem. says similarly, χαλε-

spem vis improborum fefellerit atque superaverit, commendo vobis parvum meum filium; cui profecto satis erit præsidii, non solum ad salutem, verum etiam ad dignitatem, si ejus, qui hæc omnia suo solius periculo conservaverit, illum esse filium memineritis. Quapropter de summa salute vestra, populique Romani, Patres conscripti, de vestris conjugibus ac liberis, de aris ac focus, de fanis ac templis, de totius urbis tectis ac sedibus, de imperio, de libertate, de salute Italiæ, deque universa republica decernite diligenter, ut instituistis, ac fortiter. Habetis enim eum consulem, qui et parere vestris decretis non dubitet, et ea, quæ statueritis, quoad vivet, defendere et per se ipsum præstare³ possit.

πῶτερον εἶναι τὸ φυλάττειν τῷ κτή-
σασθαι τ' ἀγαθὰ. Ursin.

3. *Per se ipsum præstare*] Take on himself and execute, on his own responsibility: *quoad* is introduced before *possit* in some MSS.

The opinion of Cicero, confirmed

by Cato in a subsequent harangue, prevailed in the senate: the conspirators were strangled the same night, in the prison. *V. E.* Vid. Hooke, viii. 9, for reasons why this speech was never pronounced.

INTRODUCTION TO THE ORATIONS*

AGAINST

MARCUS ANTONIUS.

1. J. CÆSAR and M. Antony were consuls, A. U. 709. Cæsar was also dictator, and Lepidus, master of the horse. The first day of that year was remarkable for the opposition given by M. Antony to his colleague, who, on the prospect of setting out to the Parthian war to revenge the fall of Crassus, was proceeding to nominate Dolabella to succeed him in the consulship, which he intended to resign, when he was opposed by Antony; who, as augur, threatened to interpose his negative, Phil. ii. 32. His persisting in this opposition, and the fact of Cæsar being obliged, about this time, to be strongly guarded in passing Dolabella's house, (Att. xiii. 52,) show clearly the hollow nature of his greatness. No doubt, Cæsar, though he did not withdraw his nomination, (Phil. i. 13,) was obliged to make such concessions to Antony, as offended the impetuous Dolabella. The feast of the Lupercal was held on the fifteenth of February; at which the offer of a crown was made to Cæsar by Antony, and rejected (Phil. ii. 34). This circumstance, however, probably hastened his fate; for, on the Ides of March, he was assassinated.

2. There is no complete list of the conspirators: Cicero says of them, (Phil. ii. 11,) "*Partim obscuris, partim adolescentibus,*"—but Brutus and Cassius, the leading prætors of the year, were the principal men. Cicero was not among the conspirators, though Antony, to excite odium against him, charged him with being privy to it (Phil. ii. 12). The real reason of his being

* It appears from Plut. (Cic. 48,) that Cic. himself affixed the name of Philippics to these orations: *Αὐτός τε γὰρ ὁ Κικέρων τὰς κατ' Ἀντωνίου λόγους Φιλιππικὰς ἐπέγραψε.*

passed over is given by Plutarch (Cic. 42), namely—his timidity and aged caution. After the deed was done, the conspirators fled to the capitol, and Antony to his house. On the day after the Ides but one, i. e. the seventeenth of March, the senate met in the temple of Tellus, and Cicero, though reluctantly, attended (Phil. ii. 35); for, even then, armed men were surrounding the senate. It was on this occasion that he made his celebrated speech, recommending an amnesty, or general forgiveness of injuries (Phil. i. 1), and the settlement of the republic on its old basis. This speech is not extant except in the pages of Dio Cassius (l. xlv. 63). Antony, who had ventured to summon the senate, spoke also to the same effect, and offered his own son as a hostage of his sincerity. It was decreed that there should be no judicial inquiry concerning Cæsar's death—that his acts and decrees should be ratified, and that he should have a public funeral, the conducting of which was to be intrusted to Antony.—Then it was that the conspirators descended from the capitol, which they had seized, and were entertained by the Cæsarians; Brutus supping with Lepidus, and Cassius with Antony.

3. It was on the following day, or eighteenth, according to Appian, that the provinces of the empire were decreed to the conspirators: Crete, it is said, to Brutus, Africa to Cassius, to Trebonius, Asia, to Cimber, Bithynia, and to D. Brutus, Cisalpine Gaul. Some of these provinces had been previously conferred by Cæsar, who, in anticipation of a protracted stay in Parthia, had nominated the principal magistrates for two (some say five) years in advance.

Then came the funeral, and the erection of the column in the forum, inscribed "Parenti Patriæ." It was the violent conduct of the mob, on this occasion, and their treatment of Helvius Cinna, whom they mistook for Cornelius Cinna, the prætor, who had lauded the conspirators as tyrannicides, that induced Brutus and Cassius to leave the city. For this purpose, Antony readily procured a decree setting aside the restriction on the city prætors, by which a longer absence than ten days was forbidden. Phil. ii. 13. Accordingly, they retired to Lanuvium, about fifteen miles from Rome. But D. Brutus, having endeavoured in vain to obtain, first a guard, and next, an honorary legation for the conspirators, withdrew to his assigned province, Cisalpine Gaul; while Trebonius set out privately to Asia, Cimber to Bithynia, and Cicero to—his villas!

4. Antony had previously made some popular laws, particularly one, by which he abolished the dictatorship (Phil. i. 1), and had inspired the republican party with such confidence, by his punish-

ment of the Pseudo-Marius, that they agreed to a personal interview with him, which he contrived to make satisfactory. The conduct and fate of this Marius make it credible, that while Cicero and the conspirators were thus withdrawn from the city, the greatest confusion reigned there; partly owing to the veterans, who, enraged at the murder of their general, committed every excess, partly to those desperate characters, who, like Marius, hoped to raise their fortunes in times of public anarchy. Still the conspirators had a considerable body of the people in their favour, as appears by the plaudits which were bestowed on the conspirators at the Megalensian games, on the seventh of April (Att. xiv. 2), and subsequently, in July, at the prætor's shews (Phil. i. 15).

5. In the mean time, Antony, with all his fair appearances, was not slow in undermining the republican cause. He had emissaries in the different towns, buying and storing grain, so that Cicero (Att. xiv. 3) was unable to procure supplies for his workmen at Tusculanum. The veterans, too, who were in and about the city, receiving assignments of lands for their services, were easily gained by the obvious motives of revenge and plunder (Phil. i. 2). To render the prospects of the republicans still more gloomy, it appears from a letter of Cicero (Att. xiv. 5), written on the eleventh of April, that some of the Gallic legions, remarkable for their devotion to Cæsar, were approaching the city, already environed by the intended Parthian army and the veterans; while Brutus and Cassius kept within doors! In the mean time Antony left Rome, on a tour or progress through Italy, with the intention of engaging the veterans in the different colonies in his cause. He had previously appointed the first of June for the meeting of the senate; and left Dolabella, whom he admitted as his colleague in the consulship, in charge of the city; who, in this capacity, gained great credit with the senate, by his firmness in opposing the mob, and overthrowing the pillar which had been built in the forum (Phil. i. 2). It was in this state of affairs that Octavius, afterwards Augustus, who was then at Apollonia, in Greece, waiting to accompany Cæsar to Parthia, hearing of his uncle's death, returned to Italy; and we find him, on the nineteenth of April, on a visit to Cicero, at Puteoli, who then hesitated to join him, as he afterwards imprudently did. In this perplexity, Cicero first meditated a journey to Greece, and communicated to Atticus (xiv. 12) his doubts and his intentions. In the mean time Antony, who had returned to Rome, was making every use of Cæsar's papers, which had fallen into his hands, to

strengthen his interests. For about the end of May, Cicero writes to Cassius (Fam. xii. 1), "ut adhuc quidem actum est, non regno, sed rege liberati videremur.....Tabulæ figuntur; immunitates dantur; pecuniæ maximæ describuntur, exsules reducuntur; senatusconsulta falsa referuntur, &c., &c." The first of June, the time appointed for the meeting of the senate, was drawing nigh, and Cicero returned to Rome to be present.—Antony, however, appeared, attended by a military guard, which so intimidated the senators that they fled (Phil. ii. 42). Cicero retired to Tusculanum; thence, on the third of June, he wrote to Atticus (xv. 9), expressing great indignation at a report that a decree was to be passed on the Nones, appointing Brutus comptroller of grain for Asia, and Cassius for Sicily. It was true, however, and the subject of much deliberation among the parties, before it was accepted (Att. xv. 11). This shows that the republican ardour was fast cooling in the breasts of the people, and it determined Cicero to withdraw from Italy, till he should see what turn affairs might take. His resolution being to visit Athens, where his son was then studying, and not to return before the first of January, when Hirtius and Pansa entered on their consulship; he determined to take the usual route by land to Brundisium, and thence to Buthrotum, in Epirus. He was obliged, however, to alter his purpose, owing to the veterans of Cæsar, that were stationed in the south of Italy, and Brundisium (Phil. i. 3). He then resolved on sailing from Puteoli, and proceeding through the straits. He did set sail from Pompeianum about the middle of July (Att. xvi. 3), and proceeding slowly round the coast, he stopped at Velia, and had an interview with Brutus (Phil. i. 4), which proved to be the last.

7. We find in the first Philippic a full account of his movements from this time. On the thirty-first of August he arrived at Rome, and, though expressly summoned by Antony, who no doubt, hoped by acting on his fears, to gain his approval of the measures to be proposed, he did not attend the senate. This so provoked Antony, that he gave utterance to those threats against Cicero, which are alluded to in the first Philippic (c. 5), and from which, in a great degree, originated his subsequent opposition to Antony. Plutarch writes that the soldiers of Antony actually visited Cicero's house, and were with difficulty induced to retire on receiving his pledges. But it is likely that he himself records the worst. Cicero attended the senate the following day, and pronounced the

FIRST PHILIPPIC ORATION.

8. In this speech Cicero first explained the reasons of his departure from the city, and unexpected return, c. 1—4. After animadverting on Antony's treatment of him, for not being present in the senate, on Piso's motion, c. 5. 6, he addresses himself to the question before the house—whether Cæsar's *acts* are to be maintained—and shows that no one is farther from maintaining them than Antony himself; who, to suit his own views, is virtually violating Cæsar's most important laws. Of this he gives instances, c. 7—10. After deprecating the resentment—at least ungenerous resentment—of Antony, c. 11, he directs himself to Dolabella, who was present, and Antony, who was absent, and exhorts them to pursue the true path of glory, which he points out, and defines, c. 12—15. This speech so irritated Antony, that he resolved to keep no measures with him, and commanded his attendance on the twentieth of September. This command, Cicero, by the advice of his friends, declined to obey. The day came, and Antony, who had been studying for seventeen days previous, in the Tiburtine villa of Scipio, (Phil. v. 7,) made a most intemperate speech against Cicero, the general drift of which may be collected from Cicero's reply, which is contained in the

SECOND PHILIPPIC ORATION.

9. This oration is supposed to be made on the same day as Antony's (c. 43), but it was never actually delivered, nor more than handed about in manuscript among Cicero's friends, Att. xv. 13; xvi. 11, at least till Antony was declared a public enemy. Besides a refutation of the charges of Antony, it contains a severe stricture upon his whole life, and is thought to have given rise to that irreconcilable enmity which terminated in his death. Juv. x. 119.

In the exordium a comparison is instituted between Antony, Catiline, Clodius, &c., c. 1. Then follows a reply to various charges of Antony: of violated friendship—of ingratitude to the preserver of his life—of having, during his consulship, filled the capitol with armed men—of refusing burial to Lentulus, his stepfather—of abetting the murder of Clodius—of causing the civil war, by exciting enmity between Cæsar and Pompey, and of advising Cæsar's assassination, c. 2—14. A severe reprehension of Antony follows, for censuring Cicero's conduct in the camp of Pompey, c. 15, for denying that his friends left him bequests,

c. 16, and this part of the speech concludes by noticing the meagre results of Antony's long study under the tuition of Sext. Clodius. c. 17.

10. Then follows the second part of the oration, in which is reviewed the life of Antony: his youth, c. 18; his conduct under Gabinius, in the affairs of Ptolemy, c. 19; his quæstorship under Cæsar, c. 20, and his venal tribuneship, c. 21—23. His acts, immediately after the battle of Pharsalia, are next reviewed, c. 24—25: then his insolent invasion of Pompey's property after the return of Cæsar from Alexandria, c. 26—28. His courage is next called in question, for not accompanying his patron to Spain, who allowed him, on his return, to be sued for the price of Pompey's estate, c. 29. Then follows the notice of his attempted journey into Spain, c. 30, 31, of his servile conduct towards Cæsar after his return, and his perfidy to Dolabella, c. 32, 33.—A description of his offering a diadem to Cæsar, at the Lupercal games, is given c. 34, his presiding at Cæsar's funeral, c. 35, and pronouncing his funeral eulogium, c. 36. Various acts of injustice: the sale of immunities, kingdoms, &c., are next dwelt on, and his base conduct in the progress through Italy, subsequent to Cæsar's death, c. 37—41. Cicero then notices his violation of Cæsar's laws on his return to Rome, and neglecting even the rites due to his patron's memory, 42, 43. Lastly, death is held out as the necessary consequence of his violation of public liberty, c. 44.

In conclusion, he compares the pretensions of Antony and Cæsar, and infers, that if the Roman people did not endure Cæsar, much less would they Antony; that therefore Antony should abandon his design against the liberty of his country; that, as for himself, he was prepared for death; his only wish being, first, to leave his country free, and next that every traitor might meet his deserts, c. 45, 46.

11. In order to connect with it the NINTH PHILIPPIC (the intermediate orations being omitted) it may be briefly observed, that on the ninth of October, Antony set out for Brundisium, to gain over to his cause four legions which had been sent forward into Macedonia by Cæsar, but which, on hearing of his death, had returned to Italy. With these he succeeded so badly (only one, the Alaudæ, declaring for him, Hooke x. 12,) that returning hastily to Rome, he soon set out for Gaul, which he claimed as his province, and which D. Brutus was holding for the senate.—He finally besieged D. Brutus in Mutina, whose cause Cicero assisted at Rome, with those eloquent effusions which compose the THIRD, FOURTH and FIFTH PHILIPPICS. He was opposed,

however, by a strong faction of Antony's friends, who, under pretence of recommending peace, prevented Antony from being declared a public enemy, and obliged Cicero to rest satisfied with an embassy to him, consisting of three senators, Piso, Philip, and Sulpicius. Cicero, in the mean time, found it necessary, on the departure of the ambassadors, to encourage the minds of his party, who were strongly inclining to peace with Antony—and this he executes in the SIXTH and SEVENTH PHILIPPICS. The EIGHTH he pronounced on the return of the embassy with the demands of Antony, and after the senate had declared his war a tumult. Sulpicius, one of the ambassadors, who left Rome in a bad state of health, died when he had nearly reached his destination; and, on a motion being made in the senate, to honour him with a public funeral, it gave Cicero an opportunity of pronouncing that noble eulogium on his character and services, which constitutes the

NINTH PHILIPPIC.

12. This speech does not require a lengthened analysis.—After praising the patriotism of Ser. Sulpicius, who had hazarded his life to serve his country, c. 1, he commends the consul, Pansa, for his alacrity in summoning the senate, and replies to an objection of Servilius—that a statue was only due to him who had died by the sword in the service of his country, 2—5. He adds, among his reasons, that Sulpicius himself would prefer a brazen statue, and concludes with a particular account of its position, inscription, &c.

M. TULLII CICERONIS
IN
MARCUM ANTONIUM,

PRIMA*

ORATIO.

I. ANTEQUAM¹ de republica, Patres conscripti, dicam ea, quæ dicenda hoc tempore arbitror, exponam vobis breviter consilium et protectionis et reversionis meæ.² Ego quum sperarem, aliquando ad vestrum consilium auctoritatemque³ rempublicam esse revocatam, manendum mihi statuebam, quasi in vigilia quadam consulari ac senatoria.⁴ Nec vero usquam discedebam, nec a republica dejiciebam oculos,⁵ ex eo die, quo⁶ in ædem Telluris⁷ convocati sumus.

* Vid. Introd. 8.

SECT. I.—1. *Antequam*] This speech being of the *deliberative* kind, does not require a regular exordium. Cicero, therefore proceeds at once to the proposition and division of his subject.

2. *Reversionis meæ*] *Reversio* is a return occasioned by accidental circumstances; 'reditus,' when it is designed. Att. xvi. 7. *Manut.* Yet 'reditus' is afterwards used by Cic., to express this very return. Phil. ii. 30.

3. *Auctoritatem*] For the senate could not be said to have any autho-

rity, when Cæsar, as perpetual dictator, was directing every measure as he pleased.

4. *Consulari ac senatoria*] Cicero was both ex-consul and senator. The former, it is implied, demanded greater vigilance than the latter. Cicero exerted both.

5. *Usquam discedebam—dejiciebam oculos*] The metaphor is here taken from sentinels on duty.

6. *Ex—die, quo*] Phil. ii. 35, 'Post diem tertium veni in ædem Telluris, et quidem invitus, cum omnes aditus armati obsiderent.' Introd. 2.

7. *Ædem Telluris*] This temple,

In quo templo,⁸ quantum in me fuit, jeci fundamenta pacis,⁹ Atheniensiumque renovavi vetus exemplum,¹⁰ Græcum etiam verbum¹¹ usurpavi, quo tum in sedandis discordiis usa erat civitas illa, atque omnem memoriam discordiarum oblivione sempiterna delendam censui. Præclara tum oratio M. Antonii;¹² egregia etiam voluntas; pax denique per eum et per liberos¹³ ejus cum præstantissimis civibus¹⁴ confirmata est. Atque his principiis reliqua consentiebant. Ad deliberationes eas, quas habebat domi de republica, principes civitatis¹⁵ adhibebat; ad hunc ordinem res optimas defere-

dedicated to Tellus or Ops, stood in the forum not far from the Capitol.—The senate was, of necessity, held in a sacred place; and it is probable that this one was most convenient for the parties. The conspirators were then in the Capitol. Appian, however, says it lay contiguous to Antony's house, as owing to the gladiators of Decimus Brutus, he did not dare to summon the senate to the Curia, which lay nearer the Capitol.

8. *Templo*] 'Ædes,' a building erected to a deity, without auguries; 'templum,' a place, or building, duly consecrated. The temple of Tellus was both.

9. *Jeci fundamenta pacis*] This speech of Cicero is not extant in Latin. *Introductio*. 2.

10. *Atheniensium—exemplum*] In the last year of the Peloponnesian war, the Athenians were so far reduced, as to make it a question with their enemies, whether the city and very name of Athens should not be destroyed. The Spartans, however, being unwilling, as they expressed it, to put out one of the eyes of Greece, the city was allowed to stand, but its fortifications and fleet were destroyed, and thirty men, the creatures of its oppressors, appointed to govern it.—Their acts of cruelty roused up an avenger in Thrasybulus, who had fled from their tyranny to Phyle, a strong castle in Attica, and who, collecting together a small band of his

countrymen, seized on the Piræus, and fortified Munychia. The tyrants, having failed in several attempts to dislodge him, in one of which Critias, their general, was slain, were obliged to yield up the city to Thrasybulus, and go into banishment. They were soon after slain in an attempted invasion of Athens. It was then that Thrasybulus brought forward his famous decree or act of *amnesty*, by which he not only forbade all impeachments and punishments for what was past, but even the very mention of them. Cicero, after the extinction of Cæsar's despotism, did the same.

11. *Græcum—verbum*] Ἀμνηστία. Plut. Cic. Demosthenes employs μὴ μνηστικακεῖν in a similar sense. Val. Max. iv. 4.

12. *Oratio M. Antonii*] This speech was all about concord and healing measures. *Inf.* 13. 'Quæ fuit oratio de concordia,' Phil. ii. 36.

13. *Per liberos*] Not strictly; for it appears that Antony sent only *one* son as a hostage. Phil. ii. 36. *Inf.* 13. 'Reipublicæ tuus parvulus filius in Capitolium a te missus pacis obses fuit.'—He was the son of Antony, by Septimia, the daughter of Fadius Bamba-lion. Manil. 12. n. 13.

14. *Præstantissimis civibus*] Of course, Brutus, Cassius, and the principal conspirators.

15. *Principes civitatis*] i. e. 'The leading senators.' Sext. 45. 'Defensores optimatium, ipsique optimates

bat;¹⁶ nihil tum, nisi quod erat notum¹⁷ omnibus, in C. Cæsaris commentariis reperiebatur; summa constantia ad ea quæ quæsita erant, respondebat. Num qui exsules restituti?¹⁸ Unum aiebat,¹⁹ præterea neminem. Num immunitates datæ? Nullæ, respondebat. Assentiri etiam nos Ser. Sulpicio, clarissimo viro, voluit, ne qua tabula post Idus Martias²¹ ullius decreti Cæsaris aut beneficii²² fingeretur.— Multa prætereo, eaque præclara; ad singulare enim M. Antonii factum festinat oratio. Dictaturam,²³ quæ jam vim regiæ potestatis obsederat,²⁴ funditus ex republica sustulit. De qua ne sententias quidem diximus; scriptum senatusconsultum, quod fieri vellet, attulit; quo recitato, auctoritatem²⁵ ejus summo studio secuti sumus, eique amplissimis verbis per senatusconsultum gratias egimus.²⁶

II. Lux quædam¹ videbatur oblata,² non modo regno, quod pertuleramus, sed etiam regni timore³ sublato; magnumque pignus ab eo reipublicæ datum, se liberam civitatem esse velle, quum dictatoris⁴ nomen, quod sæpe jus-

gravissimi, et clarissimi, cives numerantur, et principes civitatis.

16. *Deferebat*] Ernesti would read *referebat*, or understand *deferebat* in that sense. For there is no point in saying that he laid before the senate 'res optimas,' unless he did so in quality of consul.

17. *Nisi . . . notum*] Omitted by Ernesti.

18. *Restituti*] Scil. a Cæsare.

19. *Unum aiebat*] This, it is probable, was Sextus Clodius, a kinsman of P. Clodius, who was banished for exciting public disturbances on the occasion of his death. Antony had married Fulvia, the widow of Clodius, and was therefore called upon to interfere in the case of a relative. The Delph. makes him 'filius P. Clodii;' but the son of P. Clodius was probably then residing in Antony's house, who calls him (Att. xiv. 13), 'in optima spe puerum repositum.'

20. *Ser. Sulpicio*] For the character of this distinguished civilian, vid. Phil. ix.

21. *Post Idus Martias*] The day

on which Cæsar was slain.

22. *Decreti—aut beneficii*] 'Decretum' refers to public, 'beneficium' to private concerns.

23. *Dictaturam*] Sylla and Cæsar had been perpetual dictators.

24. *Obsederat*] Ernesti conjectures *obtinebat*.

25. *Auctoritatem*] Equivalent to 'sententia,' to which we find it joined elsewhere. Thus Manil. 20, 'Catuli auctoritas et sententia.'

26. *Gratias egimus*] Mil. 35. n. 18.

SECT. II.—1. *Lux quædam*] 'A ray of light,' i. e. safety; 'lux' for 'salus' is usual in Latin, as *φῶς* in Greek.

2. *Oblata*] Al. *oborta*; but Cicero seems to prefer the compounds of 'fero,' so 'pertuleramus,' 'sublato,' following.

3. *Regno—regni timore*] 'Regnum,' a thing odious at Rome, yet in effect exercised by Cæsar.

4. *Dictatoris*] This word, derived by Varro from 'dico,' quod a consule diceretur, is evidently from 'dictare.'

tum⁵ fuisset, propter perpetuæ dictaturæ⁶ recentem memoriam funditus ex republica sustulisset. Liberatus periculo cædis paucis post diebus senatus; uncus impactus⁷ est fugitivo⁸ illi, qui in C. Marii nomen invaserat. Atque hæc omnia communiter cum collega. Alia porro propria Dolabellæ⁹: quæ, nisi collega abfuisset,¹⁰ credo eis futura fuisse

The office of dictator, created A. v. 252, had been disused for upwards of a century before Sylla, and ended in Cæsar.

5. *Justum*] Regularly appointed, legal. 'Quod—fuisset,' though it had been.

6. *Perpetuæ dictaturæ*] Cæsar's. It does not appear that this magistracy was voted to him for a longer space than ten years. Dio 48. Cic. no doubt thought this equivalent to perpetual.

7. *Uncus impactus*] This does not determine the punishment of the Pseudo-Marius, as the hook was employed to drag the bodies of criminals either to the pile, the Gemoniæ Scalæ, or the Tiber. It was stuck in the throat, as Juven. 'fixo gutture fumant.' The culprit was often strangled in prison, his body dragged to the Gemoniæ Scalæ, and finally thrown into the Tiber. Hence Juv. 'Sejanus ducitur unco spectandus, &c.,' and 'dum jacet in ripa.' The Gemoniæ scalæ lay near the entrance to the state prison or Tullianum, on the descent from the capitol to the forum. Hence Val. Max. vi. 11, speaking of Q. Cæpio, 'Corpus ejus—in scalis Gemoniis jacens, magno cum honore totius fori Romani conspectum est.' 'Gemoniæ' is derived either from one Gemonius, who was the first exposed to that place, or from 'Gemere.' The Greek writers call it simply ἀναβασμοί.

8. *Fugitivo*] This man, called variously Chamaces, Hierophilus, Amatius; but who styled himself, (Att. xii. 49.) C. Marius, C. F. C. N., i. e. 'C. Marius, the son of Caius, the

grandson of Caius,' had given Cæsar much trouble during his absence in the Spanish war, by his absurd pretensions to relationship with Marius, with Crassus, and even with Cicero, through which he had imposed on many of the towns of Italy. Cæsar had these examined into, and finding him a mere impostor, ordered him to be banished. On hearing of Cæsar's death, he returned, and pretending to be the son of Marius by Julia, the aunt of Cæsar, and therefore related to Cæsar himself, he put himself at the head of the mob, proposed to revenge his death on the conspirators, and built an altar before his pile; said by some to be the 'columna' which Dolabella demolished. Antony, however, put him to death without trial, which the senate took as a good omen of his intentions towards the conspirators and the republic.

9. *Collega—Dolabellæ*] Dolabella was of the Cornelian family, but became a plebeian by adoption, in order to stand for the tribuneship, which he obtained A. v. 796; and about this time, married Tullia, the favourite daughter of Cic. In his tribuneship he committed several illegal acts, which are alluded to inf. c. 12. 'Recordare quæso, Dolabella, &c.' In these he was opposed by Antony, then master of the horse, and the consequent disturbances were only settled by the return of Cæsar from Egypt. He took Dolabella into favour, and raised him to the consulship before he was of competent age, or had been prætor. After Cæsar's death, Antony, who, as Augur, had declared his election informal, withdrew his objection, and

communia.¹¹ Nam, quum serperet in urbe¹² infinitum malum, idque manaret in dies latius, iidemque bustum¹³ in foro facerent, qui illam insepultam sepulturam¹⁴ effecerant, et quotidie magis magisque perditii homines cum sui similibus servis tectis ac templis urbis minarentur: talis animadversio fuit Dolabellæ, quum in audaces sceleratosque servos, tum in impuros et nefarios liberos,¹⁵ talisque eversio illius execrata¹⁶ columnæ, ut mihi mirum videatur, tam valde reliquum tempus ab illo uno die¹⁷ dissensisse. Ecce enim Kalendis Juniis, quibus ut adessemus edixerant, mutata om-

admitted him as his colleague. For some time he acted a patriotic part, but afterwards joined Antony in oppressing the republican party; for setting out for Syria, which province Antony had procured for him, he treacherously put to death Trebonius, the first conspirator who suffered, at Smyrna, in Asia Minor. For this act Cassius, who had previously seized on the province of Syria, took ample vengeance, by obliging him to kill himself in Laodicea, when he had besieged him with a superior force.

10. *Collega abfuisse*] During the months of April and May. Introd. 5.

11. *Communia*] Yet Phil. ii. 42, Cic. says, that Antony on hearing of Dolabella's conduct swooned away.

12. *Serperet in urbe*] 'In urbem' would be 'into the city.' But Cic. means that being there, it spread through it. 'Serpo,' ἔρπω, ῥέπω.

13. *Bustum*] Properly a burned pile, 'locus in quo mortuus est combustus,' but here a monument or pillar (columna execrata) raised by the mob to Cæsar on the spot where the burning took place. Hence Phil. ii. 42, 'bustum in foro evertit.' We must not confound it with the pillar described by Suet. Jul. 85, as being made of Numidian stone, and inscribed 'PARENTI PATRIÆ;' for the mob used it as a sort of altar for a long time (longo tempore); whereas Dola-

bella destroyed the pillar in question about a month from Cæsar's death. Att. xiv. 15.

14. *Insepultam sepult.*] Cæsar's funeral was left to Antony to conduct, who, having made a short funeral oration in the forum, (Phil. ii. 36. 'Tua illa pulchra laudatio, &c.') was about to proceed with the body to the Campus Martius, where a pile was prepared, when amidst the tumult of grief, some persons set fire to the robes that covered the corpse, and a pile was instantly raised of every thing combustible, till the fire burned the house of L. Bellienus. Hence the epithet 'insepulta,' as Phil. ii. 36, 'si funus illud fuit.' Compare γάμος ἄγαμος; &c., of the tragic poets, which Cic. had found imitated in the verse 'Qua tempestate Paris Helenam innuptis junxit nuptiis.' De Or. iii. 59. Also Lucan. vii. 820, 'funus inhumatum.'

15. *Cum audaces servos—tum nefarios liberos*] Hence Att. xiv. 15, 'de saxo in crucem.' The slaves were crucified; the freeman cast from the Tarpeian rock.

16. *Execrata*] Perhaps from the unhallowed rites offered at it; or its being dedicated to a tyrant; or Dolabella might have used a form of execration.

17. *Ab illo uno die*] On which he had demolished the column, probably in April, and 'reliquum tem-

nia: nihil per senatum, multa et magna per populum, et absente populo¹⁸ et invito. Consules designati¹⁹ negabant se audere in senatum venire; patriæ liberatores²⁰ urbe carebant ea, cujus a cervicibus jugum servile dejecerant: quos tamen ipsi consules²¹ et in concionibus et in omni sermone laudabant. Veterani qui appellabantur,²² quibus hic ordo²³ diligentissime caverat, non ad conservationem earum rerum, quas habebant, sed ad spem novarum prædarum incitabantur. Quæ quum audire mallet, quam videre, haberemque jus legationis liberum,²⁴ ea mente discessi, ut adessem Kalendis Januariis, quod initium senatus cogendi²⁵ fore videbatur.

pus' extends to the second of Sept., the date of this oration. Ern. would read *primo die*.

18. *Per populum*—*populo*] Antony employed the agency of the *populace*, but the *people* were neither present nor consenting.

19. *Consules designati*] Hirtius and Pansa.

20. *Patriæ liberatores*] Brutus, Cassius, &c.

21. *Ipsi consules*] Antony and Dolabella. Supr. n. 9.

22. *Veterani qui appellabantur*] Al. *appellantur*. The name of veterans may be here questioned, on account of the abuses practised in the irregular discharge, and rewarding, under that appellation, of many not entitled to it; or the verb may merely import that they were called up, probably by Antony. V. E. Quint. 20. 'Tribuni igitur appellabantur.' Antony had, in a late progress through Italy, been tampering with the veterans there, and at Rome had many in his pay called by Cic. facetiously 'Antony's advocates.' Inf. 7. Phil. ii. 39.

23. *Quibus hic ordo*] Various lands in the neighbourhood of Capua and elsewhere were assigned to the veterans by the senate.

24. *Jus legationis liberum*] Explained by some, 'the right of embassy, free to be accepted by Cicero or not.' But it is the same as 'legationis

liberæ,' which is often used by Cicero elsewhere. It was an honorary privilege granted to senators who were going abroad on private, or wished for a pretext to withdraw from public affairs, and secured to them all the respect and attention of public functionaries. It was called 'libera,' either because the holder was not obliged to lay it down on entering the city, as was the case with other offices, or because it was not restricted in point of time or place. Cic., however, who had laboured to remove it as an oppression on the provinces, got it limited to a year, which Cæsar, if the passage is rightly understood, afterwards extended to five. (Att. xv. 11.) There was a species of it called 'votiva,' which, though more honourable, Cic. declined on this occasion, as unsuited to the deplorable state of the republic. It is remarkable that Cic. (Att. xv. 11.) says 'Dolabella me sibi legavit ad 4tum Non. April.' Yet here, in the presence of Dolabella too, 'haberem jus legationis liberum.' Perhaps subsequently to the second of April, he had obtained the latter privilege also, and chose in the senate to mention the more respectable.

25. *Cogendi*] Simply 'of convening the senate,' without the idea of force. Cicero knew well enough that meetings of the senate would be previously held; but it was of Antony's senate, not the commonwealth's.

III. Exposui, Patres conscripti, profectionis consilium: nunc reversionis, quæ plus admirationis habet, breviter exponam. Quum Brundisium, iterque illud, quod tritum in Græciam est, non sine causa¹ vitavissem,² Kalendis Sextilibus³ veni Syracusas,⁴ quod ab ea urbe transmissio in Græciam laudabatur: quæ tamen urbs mihi conjunctissima, plus una me nocte cupiens retinere, non potuit. Veritus sum, ne meus repentinus ad meos necessarios adventus suspicionis aliquid⁵ afferret, si essem commoratus. Quum autem me ex Sicilia ad Leucopetram,⁶ quod est promontorium agri Rhegini, venti detulissent,⁷ ab eo loco conscendi, ut transmitterem; nec ita multum provectus, rejectus austro⁸ sum in eum ipsum locum, unde conscenderam. Quumque intempesta nox⁹ esset, mansissemque in villa P. Valerii, comitis¹⁰ et fa-

SECT. III.—1. *Brundisium—non sine causa*] Antony's veterans were stationed in or near Brundisium. Att. xvi. 2. 4. Brundisium was a sea-port of Calabria, the usual one to take shipping from for Greece.

2. *Vitavissem*] Namely, by sailing from Pompeii round the coast. His object being to visit Athens where his son was then studying, and proceed to Syria, where Dolabella's province lay, he had equipped three gallees for himself and attendants. Att. xv. 20. During this voyage Cic. wrote some of his most admired treatises, particularly his Topics and 'De Gloria.'

3. *Sextilibus*] From 'sextus' the sixth month from March, the ancient commencement of the year. It was afterwards named from Augustus. Hence Virg. Ecl. iv. 12.—'incipient magni procedere menses.'

4. *Syracusas*] Syracuse was the capital city of Sicily, an island much attached to Cic. on account of his disinterested conduct there during his quæstorship; which they evinced by appointing him their patron at Rome. Hence his advocacy of their cause against Verres.

5. *Suspicionis aliquid*] It is not easy to see what this suspicion was. Perhaps he means of raising a party in

his own favour in that quarter where he was best known and beloved. If so, it is only another proof of the ridiculous vanity which obscures the character of that great man.

6. *Leucopetra*] i. e. λευκή πέτρα, the white rock, in which Strabo says the Appenines terminate. Mil. 9. n. 15. It was fifty stadia to the east of Rhegium. Arch. 3. n. 12.

7. *Venti detulissent*] Fam. xii. 25. Quum me Etesiæ, quasi boni civis relinquentem officium, prosequi noluerunt. And 'conscendi,' a nautical term. Virg. 'Bis denis Phrygium conscendi navibus æquor.'

8. *Austro*.] The usual name for a wind blowing from Epirus, though not strictly a south wind. So Att. vii. 2. 'Brundisium venimus; ita bello nobis flavit ab Epiro lenissimus Austro.' The Etesiæ are mentioned as the favourable winds for sailing to Greece. They blew from the north during the months of July and August. Cicero had proceeded three hundred furlongs before he was driven back.

9. *Intempesta nox*] Properly from bed-time to midnight, 'inter concubiam noctem et mediam.' It is, however, often used vaguely. Virg. 'Et lunam in nimbo nox intempesta tene-

miliaris mei, postridieque apud eundem ventum expectans manerem, municipes¹¹ Rhegini complures ad me venerunt; ex his quidam Roma recentes: a quibus primum accipio M. Antonii concionem;¹² quæ mihi ita placuit, ut, ea lecta, de reversione primum cœperim cogitare. Nec ita multo post edictum Bruti affertur et Cassii;¹³ quod quidem mihi, fortasse quod eos plus etiam reipublicæ, quam familiaritatis gratia,¹⁴ diligo, plenum æquitatis videbatur. Addebant præterea (fit enim plerumque, ut ii, qui boni quid volunt afferre, affingant aliquid, quo faciant id, quod nuntiant, lætius,) rem conventuram; Kalendis Sextilibus senatum frequentem fore; Antonium, repudiatis malis suasoribus,¹⁵ remissis provinciis Galliis,¹⁶ ad auctoritatem senatus esse reditum.

bat.' It is not very obvious why Cicero specifies this time. In the parallel passage in his letters, (Att. xvi. 7.) he merely states in general, that the citizens of Rhegium waited on him while he was staying with Valerius, expecting a fair wind. Perhaps it may be to account for his not hearing the intelligence a day sooner. If it had not been very late, they might have waited on him at Leucopetra, which was eight miles from Rhegium. As it was, they shewed their respect by proceeding to the country seat of his friend, the following day.

10. *Publii Valerii comitis*] He was the companion of Cic. on this occasion; and happened to have a house on the southern coast of Italy.

11. *Municipes*] 'Cives municipii.' Arch. 3. n. 12.

12. *M. Antonii concionem*] Appian says that this speech recommended the recall of Sextus Pompey and his restoration to his paternal property and command. But there is no reason to believe that it was any thing more than a reiteration of the pacific views which hitherto it was his interest to profess.

13. *Edictum Bruti affertur et Cassii*] The edict of Brutus and Cassius, noticed by Appian, that no pro-

vince should be given to any person under twenty years of age, cannot be meant here. Cic. alludes to it briefly, Att. xvi. 7. 'Antonii edictum legi a Bruto; et horum contra; præclarè scriptum.' Also Brutus and Cassius write to Antony: 'Illud verè quomodo ferendum sit tute cogita; non licere prætoribus concordie et libertatis causa, per edictum, de suo jure decedere quin consul arma minetur.' This letter, written a few days before Cic. received the edict, nearly identifies it.

14. *Famil. gratia*] This seems to imply that as far as his friendly intercourse with Brutus and Cassius was concerned, he did *not* think the decree fair. Perhaps then 'de suo jure decedere,' (vid. prec. n.) meant what Vell. Pat. testifies, (ii. 62.)—the offer (per edictum) of retiring into banishment if the concord of the state were secured. This appeal not suiting Antony's views, was answered by a threat of arms.

15. *Malis suasoribus*] Laco, Mustela, Numisius, &c.

16. *Galliis*] The Transalpine Gaul had been assigned to L. Munatius Plancus; the Cisalpine to Decimus Brutus. Antony, in order to be near Rome, claimed them both, with

IV. Tum vero tanta sum cupiditate incensus ad reditum, ut mihi nulli neque remi, neque venti satisfacerent: non quo me ad tempus occurrurum non putarem,¹ sed ne tardius, quam cuperem, reipublicæ gratularer. Atque ego celeriter Veliam² devectus, Brutum vidi;³ quanto meo dolore, non dico. Turpe mihi ipsi videbatur, in eam urbem me audere reverti, ex qua Brutus cederet, et ibi velle tuto esse, ubi ille non posset. Neque vero illum similiter, atque ipse eram, commotum esse vidi. Erectus enim maximi ac pulcherrimi facti⁴ sui conscientia, nihil de suo casu, multa de vestro quebatur. Exque eo primum cognovi, quæ Kalendis⁵ Sextilibus in senatu fuisset L. Pisonis⁶ oratio: qui quamquam parum erat, (id enim ipso a Bruto audieram) a quibus debuerat, adjutus, tamen et Bruti testimonio (quo quid potest esse gravius?) et omnium prædicatione, quos postea vidi, magnam mihi videbatur gloriam consecutus. Hunc igitur ut sequeretur,⁷ properavi, quem præsentibus⁸ non sunt secuti: non ut proficerem aliquid, (neque enim sperabam id, nec præ-

an extension of the ordinary time. Att. xiv. 14. 'Quæ scribis, Kal. Jun. Antonium de provinciis relaturum, ut et ipse Gallias habeat et utrisque dies prorogetur, &c.'

SECT. IV.—1. *Non quo—non putarem*] A]. *non quo putarem*: his haste was not occasioned by any doubt of not being in time to serve his country. Orel. V. E. Without *non*, 'ad tempus' may mean the first of August. It was the seventh that he heard of Antony's promising conduct.

2. *Veliam*] Velia was a sea-port of Lucania, contiguous to which Brutus was lying with his fleet. The name is derived from *ἄλος*, *lucus*; and is considered by Dionys. Halicar. as digammated.

3. *Brutum vidi*] When Brutus left Rome he repaired to Lanuvium, and spent his time for some weeks in visits to Cicero, Lucullus, &c. Intro. 6. In the mean time he and Cassius collected a considerable fleet, and at this time, (the middle of August,) Brutus was lying off the river

Heles, three miles east of Velia. An account of this interview is given, Att. xvi. 7.

4. *Pulcherrimi facti*] The slaying of a tyrant.

5. *Kalendis*] The Calends, Nones, and Ides, were the regular days for holding the senate, which Antony convened as usual, though Cicero had not attended for some months.

6. *L. Pisonis*] The father of Calpurnia, Cæsar's wife. Phil. v. 7. Against him Cic., whose colouring of a man's character, varied with the medium through which he viewed it, pronounced the violent invective still extant. Thus Cæsar, Antony, Dolabella, &c., are alternately the objects of his highest panegyric and most virulent abuse. Piso was against voting divine honours to Cæsar.

7. *Ut sequeretur*] 'To second,' the proper sense of 'sequi,' whose fut. participle is 'sequendus.' i. e. 'secundus.'

8. *Præsentes*] The senators present.

stare poteram,) sed ut, si quid mihi humanitus accidisset,⁹ (multa autem impendere videntur præter naturam etiam, præterque fatum,¹⁰) hujus tamen diei vocem testem reipublicæ relinquerem meæ perpetuæ erga se voluntatis.

Quoniam utriusque consilii causam, Patres conscripti, probatam vobis esse confido, priusquam de republica dicere incipio, pauca querar de hesternâ M. Antonii injuria :¹¹ cui sum amicus, idque me nonnullo ejus officio¹² debere esse, præ me semper tuli.

V. Quid tandem erat causæ, cur in senatum hesterno die tam acerbe cogerer? solusne aberam? an non sæpe minus frequentes fuistis? an ea res agebatur, ut etiam ægrotos deferri oporteret? Hannibal,¹ credo,² erat ad portas, aut de Pyrrhi pace³ agebatur; ad quam causam etiam Appium illum,⁴ et cæcum, et senem, delatum esse memoriæ proditum est. De supplicationibus⁵ referebatur; quo in genere sena-

9. *Humanitus accidisset*] To happen in accordance with the lot of humanity—to befall. Manil. 20. n. 1.

10. *Præter nat.—fatum*] An amplification, or hendiad., to intimate a premature death; as if he said, 'contrary to the fate or law, of nature.' Cat. iv. 4. n. 7. Similarly, Dem. de Cor. 59. τὸν τῆς εἰμαρμένης καὶ τὸν αὐτοματον θανατον, i. e. a natural death, being contrasted with that of the patriot, and Mil. 7, 'necessarium mortem,' where, vid. n. 4. Abram., however, takes it to mean a violent death; i. e. a death arising neither from the course of nature, nor from any series of external causes (fatum); e. g. the fall of a horse, fire, shipwreck.

11. *Hesternâ—injuria*] His threatening to pull down his house. Inf. 5. n. 8.

12. *Nonnullo ejus officio*] After the battle of Pharsalia, Antony was stationed by Cæsar at Brundisium to hinder the Pompeians from landing. Cic., however, was permitted to land and had his life spared. Phil. ii. 3. Antony had also attempted to kill Clodius, Cicero's great enemy. Mil. 15. n. 12.

SECT. V.—1. *Hannibal*] After the battle of Cannæ, Hannibal, proceeding towards Rome, pitched his camp on the Anio, three miles from the city. Liv. xxvi. 10. Pliny says that he hurled a spear within the walls. Hence it became a proverbial expression for any great danger.

2. *Credo*] The context must determine when this word is used ironically, as it appears to be here.

3. *De Pyrrhi pace*] This peace was solicited for Pyrrhus by Cyneas, a celebrated Greek orator, who had instructions to bribe the senators, and even the ladies of Rome. Appian, surnamed Cæcus, hearing of it, caused himself to be carried to the senate, where he inveighed so bitterly against Pyrrhus, praying that he were deaf as well as blind, that he might not hear the disgrace of his country; that the senate decreed to enter on no terms of peace with Pyrrhus as long as he continued in Italy.

4. *Appium illum*] The great Appian. Mil. 7. n. 7.

5. *Supplicationibus*] 'Thanksgivings offered to the gods in the temples.' When couches (pulvinaria) were spread, and the images of the gods

tores deesse non solent. Coguntur enim non pignoribus,⁶ sed eorum, quorum de honore agitur, gratia; quod idem fit, quum de triumpho refertur. Ita⁷ sine cura consules sunt, ut pæne liberum sit senatori, non adesse. Qui quum mihi mos notus esset, quumque de via languerem et mihi met displicerem, nisi pro amicitia, qui hoc ei diceret. At ille, vobis audientibus, cum fabris se domum meam venturum esse dixit. Nimis iracunde hoc quidem, et valde intemperanter. Cujus enim maleficii tanta ista pœna est, ut dicere in hoc ordine auderet, se publicis operis disturbaturum publice ex senatus sententia ædificatam domum?⁸ Quis autem unquam tanto damno senatorem coëgit? aut quid est ultra pignus, aut multam?⁹ Quod si scisset, quam sententiam dicturus essem, remisisset aliquid profecto de severitate cogendi.

VI. An me censetis, Patres conscripti, quod vos inviti secuti estis, decreturum fuisse, ut parentalia¹ cum supplicationibus miscerentur? ut inexpiabiles religiones² in rempubli-

placed on them, it was called 'lectisternium.'

6. *Non pignoribus*] Thanksgivings, though made to the gods, yet reflected honour on the individual through whom they were made. 'Pignora' were not necessary to collect senators on such complimentary occasions, private friendship towards the individual being sufficient. The 'pignora' were exacted by the 'apparitors, at the instance of the person who summoned the senate, usually the consul, not only for absence, but for contumacy or other improper conduct. It is likely they consisted of such costly or necessary articles of furniture as it would most inconvenience the owner to want. If a proper apology or excuse were not offered, the consul proceeded 'cædere pignora,' which Gesner will have 'to destroy;' Forcellini, 'to sell by auction' the forfeits. In the latter sense the 'multa,' a fixed sum, was paid out of the proceeds. Hence it is always said 'pignora capere,' 'multam dicere.' Thus Livy (xxxvii. 51.) 'Et pignora capta et multæ dictæ.' Some, however,

think that 'pignora' and 'multæ' were two distinct ways of punishing senators. De Or. iii. 1.

7. *Ita*] Either 'thus,' i. e. in consequence of this; or, 'so careless are the consuls on the subject that, &c.'

8. *Publice—ædificatam domum*] Cicero's house had been demolished by Clodius, and a temple to liberty built on its site. It was rebuilt at the public expense; which Cic. often boasts of. De Harusp. 8, he says that there were more decrees of the senate about his house, than about any public work, monument, or temple existing.

9. *Pignus aut multam*] Supr. n. 6.

SECT. VI.—1. *Parentalia*] As 'parricidium' was extended beyond its proper sense to mean any murder, so 'parentalia,' the obsequies of a parent, is taken to mean any obsequies. They consisted of victims, libations, garlands, &c.; and were offered at the tomb of the deceased.

2. *Inexpiabiles relig.*] 'Religiones' sunt ea ipsa quæ metum (deorum) afferunt. Forcel. 'Inexpiabiles,' inca-

cam inducerentur? ut decernerentur supplicationes mortuo?⁷³ Nihil dico, cui. Fuerit ille L. Brutus,⁴ qui et ipse dominatu regio rempublicam liberavit, et ad similem virtutem et simile factum stirpem⁵ jam prope in quingentesimum annum⁶ propagavit: adduci tamen non possem, ut quemquam mortuum conjungerem cum immortalium religione; ut, cujus sepulcrum nusquam⁷ exstet, ubi parentetur, ei publice supplicetur. Ego vero eam sententiam dixissem, Patres conscripti, ut me adversus populum Romanum, si qui accidisset gravior reipublicæ casus, si bellum,⁸ si morbus, si fames, facile possem defendere; quæ partim jam sunt, partim timeo ne impendant. Sed hoc ignoscant dii immortales, velim, et populo Romano, qui id non probat, et huic ordini, qui decrevit invitus.

pable of expiation, impious.

3. *Mortuo*] *Al. mortuorum*. There is a certain ambiguity in the expressions made use of regarding these supplications. Thus Cat. iii. 1. 6, 'Atque etiam supplicatio diis immortalibus meo nomine decreta est;' and Sull. 30. 'Cui uni togato supplicationem senatus decrevit.' Here we see thanksgivings decreed to the immortal gods and to Cicero; not, however, in the same sense, the latter merely meaning in honour of Cic.; or, as it is expressed before, 'meo nomine.' *Mortuo*, however, is here used in the first sense, as if Antony really did claim divine honours for Cæsar, and of this Cic. complains. But Suetonius (Jul. 84,) mentions a decree procured long before this, 'quo omnia ei divina simul et humana decreverat;' which Antony read at his funeral; so that Cic. need not have dwelt so strongly on this slight additional absurdity. *V. E.* well remarks, that these divine honours paid to a mortal might lead, and did lead, to fatal consequences. During the subsequent times of confusion, after the capture of Perugia, Cæsar Octavianus, afterwards named Augustus, is stated to have sacrificed at once, on the ides of March, three hundred knights and senators at the altar of the new divinity. Sueton. Octav. 12.

4. *Fuerit L. Brutus*] He opposes the greatest patriot to the greatest tyrant in the annals of his country.

5. *Stirpem*] Dionysius Halicar. says that Jun. Brutus left neither son nor daughter, and adds, as a proof, that the Junii and Bruti were plebeians, as appears from their always holding plebeian offices. However this may be, the tradition favoured the descent of M. Brutus from the elder Brutus, and that was enough for Cic. At the request of Brutus, his pedigree was prepared by Atticus.

6. *In quingent. annum*] Tarquin was expelled *A. U.* 244. This oration was delivered *A. U.* 709.

7. *Nusquam*] *Al. usquam*. The former agrees better with the fact; for the column built over his 'bustum,' was before this demolished; unless we consider the sepulchre of his ancestors to be *his own*, where it appears from Dio his ashes were deposited. τὰ γὰρ αὐτοῦ οἱ ἐξελεύθεροι προανέιλοντο, καὶ ἐς τὸ πατρῶον μνημεῖον κατέθεντο. Trans. 'Shall the man who has not even a grave for obsequies, be sacrificed to, as a deity with a temple?' 'Usquam' means that the fact of his having a grave overthrows his claims to divine honours.

8. *Si bellum*] The state was then at war with Sextus Pompey.

Quid? de reliquis⁹ reipublicæ malis licetne dicere? Mihi vero licet, et semper licebit dignitatem tueri, mortem contemnere. Potestas modo veniendi in hunc locum sit: dicendi periculum non recuso. Atque utinam, Patres conscripti, Kalendis Sextilibus¹⁰ adesse potuissem! non quo profici potuerit aliquid: sed ne unus modo consularis, quod tum accidit, dignus illo honore, dignus republica inveniretur. Qua quidem ex re magnum accipio dolorem, homines amplissimis populi Romani beneficiis usos,¹¹ L. Pisonem, ducem optimæ sententiæ¹² non secutos. Idcircone nos populus Romanus consules fecit, ut in altissimo amplissimoque gradu dignitatis locati, rempublicam pro nihilo haberemus? Non modo voce nemo L. Pisoni consularis, sed ne vultu quidem assensus est. Quæ, malum! est ista voluntaria servitus? Fuerit quædam¹³ necessaria. Neque ego hoc ab omnibus¹⁴ iis desidero, qui sententiam consulari loco¹⁵ dicunt. Alia causa est eorum, quorum silentio ignosco: alia eorum, quorum vocem requiro.¹⁶ Quos quidem doleo in suspicionem populo Romano venire, non modo metus, quod ipsum esset turpe, sed alium alia de causa¹⁷ deesse dignitati suæ.

VII. Quare primum maximas gratias et ago et habeo¹ L.

9. *Quid? de reliquis*] Antony had beset the senate with soldiers, and admitted whom he pleased. This did not augur well for freedom of debate. Having therefore expressed his opinion on the decrees of the preceding day, Cicero asks, must we stop here? Will Antony's 'advocates' permit us to go no farther in detailing the evils of the times? As for myself, I will say, they may prevent my entrance into the senate at all, but they shall not prevent the free expressions of my sentiments when there. One of Cicero's modest assertions.

10. *Kalend. Sextil.*] When Antony proposed the deifying of Cæsar and was opposed by Piso.

11. *Homines—beneficiis usos*] E. g. Ser. Sulpicius, Luc. Cæsar, C. Marcellus, Servilius Isauricus, &c.

12. *Optimæ sententiæ*] Viz. Not to grant the supplications to Cæsar.

13. *Fuerit quædam*] Admit that a

certain degree of it is necessary.

14. *Ab omnibus*] For some of the consulars were relatives of Antony; e. g. Luc. Cæsar, his maternal uncle. These Cic. would excuse.

15. *Consulari loco*] The persons who had admission to the place appropriated to those of consular or prætorial dignity, had not all borne those offices: the right to sit there, sometimes was conferred by the senate, as an honour to individuals. *V. E.*

16. *Requiro*] Mil. i. n. 5. Ovid. Met. vii. 515. 'Multos tamen inde requiro, Quos quondam vidi vestra prius urbe receptus.'

17. *Alium alia de causa*] He hints that they secretly favoured the designs of Antony against his country, or aimed at power themselves.

SECT. VII.—1. *Gratias et ago et habeo*] We say, 'habere gratiam'—'agere gratias;' but if both verbs are joined, as here, the plural is used.

Pisoni, qui non, quid efficere posset in republica, cogitavit; sed quid facere ipse deberet: deinde a vobis, Patres conscripti, peto, ut, etiam si sequi minus audebitis orationem atque auctoritatem² meam, benigne me tamen, ut adhuc fecistis, audiat.

Primum igitur acta Cæsaris³ servanda censeo; non quo probem:⁴ (quis enim id quidem potest?) sed quia rationem habendam maxime arbitror pacis atque otii. Vellem adesset Antonius, modo sine advocatis.⁵ Sed, ut opinor, licet ei minus valere:⁶ quod mihi heri per illum non licuit. Doce-ret me, vel potius vos, Patres conscripti, quemadmodum ipse Cæsaris acta defenderet.⁷ An in commentariolis et chirographis et libellis se uno auctore⁸ prolatis, ne prolatis quidem, sed tantummodo dictis, acta Cæsaris firma erunt: quæ ille in æs incidit, in quo⁹ populi jussa perpetuasque leges esse

2. *Auctoritatem*] i.e. 'Exemplum.' Cicero joins the two as synonymous. Balb. 31.

3. *Acta Cæsaris*] After Cæsar's death, while the conspirators were yet in credit, it was proposed in the senate, to rescind the acts of Cæsar.— This, Cic. opposed, because it would offend, and perhaps injure so many, as to endanger the public peace. In the mean time, Calpurnia had Cæsar's papers and effects conveyed to Antony's house, as a place of safety; and Antony by gaining over Tiberius, the amanuensis of Cæsar, was enabled to forge whatever acts or decrees he thought proper. Cicero's complaint then was, that the memoranda, which they all knew to be spurious, should be ratified—while his laws, if not actually annulled, were violated by counter-edicts.

4. *Non quo probem*] For the legislator was a tyrant; or perhaps he means, 'them all,' for some of them, e.g. the law about provinces, as we shall see, he highly approves of.

5. *Sine advocatis*] The veterans in Antony's pay, who the day before surrounded the senate. He had some time before this obtained from the senate a guard for his person (Inf.

11. Phil. ii. 44, and v. 6,) and for this purpose had employed Ityreans, who may be also alluded to here.— Ascon. says, "Qui defendit alterum in judicio, aut 'patronus' dicitur si orator est, aut 'advocatus' si jus suggerit aut præsentiam suam accommodat amico, aut 'procurator,' si negotium suscipit, aut 'cognitor' si præsentis causam novit et sic tuetur ut suam."

6. *Licet ei minus valere*] Antony was absent on the plea of sickness.

7. *Cæsaris acta defenderet*] For Antony, in violating Cæsar's laws, *a fortiori*, violates his acts, and could not therefore defend them.

8. *Se uno auctore*] Either, he being the sole voucher that they were Cæsar's,' as Phil. ii. 39, 'Quo auctore proferuntur?' or 'being, himself, the sole author of them,' as Phil. v. 4. 'Hæc se ex commentariis Cæsaris, quorum ipse auctor erat agere dicebat.' So Phil. ii. 37, 'auctorem odimus, acta defendimus.'

9. *In quo*] i.e. 'In doing which, sc. engraving them on brass, he showed his wish that they should continue permanent laws, not temporary enactments.' Vid. Manil. 8. n. 4. Some supply, 'ære;' but, hav-

voluit,¹⁰ pro nihilo habebuntur? Equidem existimo,¹¹ nihil tam esse in actis Cæsaris, quam leges Cæsaris. An, si cui quid ille promisit, id erit fixum, quod idem facere non potuit? ut multis multa promissa non fecit.¹² Quæ tamen multo plura illo mortuo reperta sunt, quam a vivo beneficia per omnes annos tributa et data. Sed ea non muto, non moveo; summo etiam studio præclara illius acta¹³ defendo. Pecunia utinam ad Opis maneret!¹⁴ cruenta¹⁵ illa quidem, sed his temporibus,¹⁶ quoniam iis, quorum est, non redditur, necessaria. Quamquam ea quoque sit effusa, si ita in actis fuit! Ecquid est, quod tam proprie dici possit actum ejus, qui togatus¹⁷ in republica cum potestate imperioque versatus sit, quam lex? Quære acta Gracchi: leges Semproniae¹⁸ proferentur. Quære Sullæ, Corneliæ.¹⁹ Quid? Cn. Pompeii

ing said that Cæsar engraved them on brass, surely none would doubt his intention that they (or any laws) should continue there.

10. *Voluit*] Perhaps a sarcasm on the despotism of Cæsar. 'Consul rogavit; populus voluit, jussit, &c.'

11. *Existimo*] This long argument is to prove, that if the acts of Cæsar are to be valid, Antony has no colour to annul his laws.

12. *Quod idem—non fecit*] 'Which promise even he could not perform; for it appears better to refer 'idem' to Cæsar. 'Facere promissum,' to perform a promise. Off. i. 10.

13. *Præclara illius acta*] i. e. Those which were really for the good of the state. He presently specifies some of them.

14. *Pecunia utinam, &c.*] Perhaps the connexion here is: 'I said that I am against altering Cæsar's acts, however much I might wish it; e. g. considering the necessities of the state, it were to be wished that the money plundered from the Pompeians, and kept by Cæsar in the temple of Ops, were still untouched; yet, let it be squandered, if so it be enacted. Now, if I respect such an act of Cæsar's as this, may I not expect Antony to regard his laws?

15. *Cruenta*] Procured by shedding the blood (cruor) of the Pompeians.

16. *His temporibus*] The treasury was so exhausted, during these times, that the public shows could not be celebrated for want of money; and the Triumviri levied contributions off the wealthy. Even ladies, if we believe Appian, were taxed. Vide Hooke x. 15.

17. *Togatus*] From 'toga,' (tego,) because it covered the whole body, is here opposed to 'sagatus'—(sagum)—the civil to the military robe. It was customary for all the citizens to assume the 'sagum' in times of war and danger, whether they actually served or not, as we find they did a short time after this, when Antony was declared a public enemy.

18. *Leges Semproniae*] Laws were usually named after their proposer, and the 'nomen,' or name of the 'gens,' always preferred. The Gracchi were of the 'gens Sempronia,' &c. Among these was a judiciary law to transfer the right of judging from the senate to the equites.

19. *Corneliæ*] One of these reversed the above law, and restored the judices to the senate.

tertius consulatus²⁰ in quibus actis constitit? Nempe in legibus. De Cæsare ipso si quæreres, quidnam egisset in urbe et in toga: leges multas responderet se et præclaras tulisse; chirographa²¹ vero aut mutaret, aut non daret; aut, si dedisset,²² non istas res in actis suis duceret. Sed hæc ipsa concedo; quibusdam etiam in rebus conniveo: in maximis vero rebus, id est, legibus, acta Cæsaris dissolvi ferendum non puto.

VIII. Quæ lex¹ melior, utilior, optima² etiam republica sæpius flagitata, quam, ne prætoriae provinciae plus quam annum, neve plus quam biennium consulares obtinerentur?—Hac lege sublata, videntur vobis Cæsaris acta servari? Quid? lege, quæ promulgata est de tertia decuria,² nonne omnes judicariæ leges Cæsaris dissolvuntur? Et vos acta Cæsaris defenditis, qui leges ejus evertitis? Nisi forte,³ si quid memoriae causa retulit in libellum, id numerabitur in actis, et quamvis iniquum et inutile⁴ sit, defendetur: quod ad populum centuriatis comitiis tulit, id in actis Cæsaris non habebitur. At quæ est⁵ ista tertia decuria?—Centurionum, inquit.—Quid? isti ordini judicatus lege Julia, etiam ante

20. *Pompeii tert. consul.*] A. U. 701. Vid. *Introd. to Mil.*

21. *Chirographa*] Quæ tantum sua manu in commentariis scripsisset, se facturum aut daturum. *Ern.*

22. *Si dedisset*] And, therefore, could not recall or alter them.

SECT. VIII.—1. *Quæ lex*] Cæsar had sufficient experience, during the nine years in which he held the province of Gaul, of the dangers likely to result to the government at home, from men of abilities holding offices so long abroad. He therefore enacted this law, which was nullified by a counter-law of two of Antony's creatures, extending the Prætorian provinces to two, and the consular, to six years. Hence, *Phil. v. 3.* 'Tribuni plebis tulerunt de provinciis, contra acta Cæsaris; ille biennii, iste sexennii.' Hence he uses 'qua sublata,' not adding by whom.

2. *Etiam optimâ*] *Etiam*, perhaps, implies that Cæsar had destroyed the

liberties of his country before he enacted this law.

2. *De tertia decuria*] Cæsar had reduced the order of the judges to two, the senators and equites, having abolished the Tribuni ærarii, an order added by Cotta. This Antony replaced by a decury of centurions, and thus, in effect, annulled Cæsar's law.

3. *Nisi forte*] *Mil. 3. n. 10.*

4. *Inutile*] Mischievous. So ἀχρεῖος in Greek. *Off. ii. 14.* 'Seditiosus et inutilis civis.'

5. *At quæ est, &c.*] This may be paraphrased: 'But what, says Cic., is this third decury of yours, Antony? Of Centurions, he replies: What? had not they already a share in the judicial office, by the existing laws? I acknowledge they had; but it was accompanied with a slight limitation about property, which I am for removing. But surely, Antony, the centurions were not the only persons so restricted; you know the knights,

Pompeia, Aurelia⁶ non patebat?—Census præfiniebatur, inquit.—Non centurioni quidem solum, sed equiti etiam Romano. Itaque viri fortissimi atque honestissimi, qui ordines duxerunt, res et judicant et judicaverunt.—Non quæro, inquit, istos. Quicumque ordinem duxit, judicet.—At si feretis, quicumque equo meruisset, quod est lautius,⁷ nemini probaretis; in iudice enim spectari et fortuna debet et dignitas.—Non quæro, inquit, ista: addo etiam iudices manipulares⁸ ex legione Alaudarum.⁹ Aliter enim nostri negant posse se salvos esse.—O contumeliosum honorem iis, quos ad iudicandum nec opinantes vocatis! hic enim est legis in-

also, must have a certain property.—And the good effects of this arrangement, in reference to the former, are obvious, a most respectable list of centurions, *being duly qualified as knights*, have been and are judges.—This does not suit my purpose, replies Antony. I want every centurion, whether qualified or not, to sit on the bench. But let me tell you, that if you were to propose the admission of every knight—which order is more respectable than that of centurion—it would meet the approbation of none. For property and rank are the only tests of respectability in judges.—Away with these, says Antony. I am determined to make the meanest soldiers, of the meanest legion, judges, as nothing else will secure the safety of my party. What an insult to this, their decury! It is as much as to say: ‘I want judges who dare not be impartial, and I know where to find them.’ But Antony will be disappointed. These insulted men will assert their honour; and, by the uprightness of their decisions, will rescue their characters from this foul calumny, and shew themselves worthy of the highest, not the meanest, order of judges.’

6. *Aurelia*] The judges, from the earliest times, were chosen from the senators. By the Sempronian law of C. Gracchus, the judicial office was transferred to the knights, but was

afterwards, by the Servilian law, opened to both orders, and having undergone several changes, was at last, by Sylla, confirmed to the senators. But this not giving satisfaction, Cotta threw it open to all the orders of the state, by admitting on the bench, senators, knights, and ‘tribuni ærarii.’ By the Pompeian law, however, which the Julian law confirmed, a certain census was required in the judges.

7. *Quod est lautius*] By this it would seem, that a private horseman in the Roman service, who indeed might originally have found and kept his horse, was in superior esteem to an officer of infantry, performing the duties which correspond to those of a captain in ours. *Al. laudatius.*—V. E.

8. *Manipulares*] ‘Rank and file.’ They were called ‘manipulares,’ in contra-distinction to the ‘velites,’ or light troops, and the name taken, it is well known, ‘ex manipulo vel fasciculo fœni perticæ longæ alligato, quem pro signo primum gerebat.’ In a complete legion there were 6,000 men; in a cohort, 600; in a manipule, 200.

9. *Ex legione Alaudarum*] Cæsar enrolled a legion of Gauls at his private expense, and called them *Alaudæ*: it would appear, from a crest which they wore, resembling that of a lark, ‘*alauda*,’ in the Celtic lan-

dex,¹⁰ ut ii res in tertia decuria judicent, qui libere judicare non audeant. In quo quantus error est, dii immortales! eorum, qui istam legem excogitaverunt! Ut enim quisque sordidissimus videbitur, ita libentissime severitate judicandi sordes suas eluet, laborabitque, ut honestis decuriis potius dignus videatur, quam in turpem jure conjectus.

IX. Altera promulgata lex est, ut et de vi¹ et de majestate damnati ad populum provocent, si velint. Hæc utrum tandem lex est, an legum omnium dissolutio?² Quis est enim hodie,³ cujus intersit istam legem manere? Nemo reus est legibus illis: nemo, quem futurum putemus. Armis enim gesta, nunquam profecto in judicium vocabuntur.—At res popularis.—Utinam quidem aliquid velletis esse popolare! Omnes enim jam cives de reipublicæ salute una et mente et voce consentiunt. Quæ est igitur ista cupiditas legis ejus ferendæ, quæ turpitudinem summam habeat, gratiam nullam?⁴ Quid enim turpius, quam qui majestatem

guage, signifying that bird. [Hence *alouette*.] Heberden, the translator of Cicero's letters, compares with it, the well-known derivation of *Plantagenet*.

10. *Hic—est legis index*] i. e. 'Hoc indicat lex.' We cannot suppose that the *title* or *rubric* of the law ran so, but that such was its general drift.

SECT. IX.—1. *Altera—lex—de vi*] The criminal had always been granted the liberty of appeal to the people, as appears from the instance of the Horatii and others in Livy, at least till the time of Sylla; and long after him, we find C. Rabirius appealing from the Duumvirs to the people. So Suet. (Jul. 12,) 'ut ad populum provocanti nil æquè, ac judicis acerbitas profuerit.' Cæsar's law, therefore, must have taken away this appeal, which it was the object of Antony to restore.

2. *Legum omnium dissolutio*] Because, by holding out the hopes of impunity, it offered unbounded license to the turbulent.

3. *Quis est enim hodie*] *Enim* must

be referred to an omitted proposition. —There is Antony's law of appeal; what is it but the abolition of all legal institutions? *And it is quite a gratuitous act; for who is now concerned in its enactments, who was at this day aggrieved by Cæsar's laws?* He pretends, forsooth, that it was necessary thus to protect those citizens who had been forward actors in the civil wars. But it is well known, that there neither was, nor is likely to be, any prosecutions for acts done in the heat of civil arms. Why then not have permitted Cæsar's laws to remain, which were doing no harm at present, and would do good hereafter. Antony replies, '*res est popularis.*' I did it to please the people. Cicero rejoins, that he is mistaken in this, as the people all wish for the safety of their country. He then shews that the real drift of Antony's law was—not to extend the liberty of the people—but, to screen his flagitious followers by making it useless to bring them to trial, at all.

4. *Gratiam nullam*] For it will oblige none. 'Nemo est, &c.'

populi Romani minuerit per vim, eum, damnatum iudicio, ad eam ipsam vim⁵ reverti, propter quam sit jure damnatus? Sed quid plura de lege disputo? quasi vero id agatur, ut quisquam provocet. Id agitur, id fertur, ne quis omnino unquam istis legibus reus fiat. Quis enim aut accusator tam amens reperietur, qui, reo condemnato, objici se multitudini conductæ velit? aut iudex, qui reum damnare audeat, ut ipse ad operas mercenarias statim protrahatur? Non igitur provocatio ista lege datur: sed duæ maxime salutares leges quæstionesque tolluntur. Quid est aliud⁶ adhortari adolescentes, ut turbulenti, ut seditiosi, ut perniciosi cives velint esse? Quam autem ad pestem furor tribunicus impelli non poterit, his duabus quæstionibus de vi et de maiestate sublati? Quid? quod obrogatur⁷ legibus Cæsaris, quæ jubent, ei, qui de vi, itemque ei, qui maiestatis damnatus sit, aqua et igni interdici? quibus quum provocatio datur, nonne acta Cæsaris rescinduntur? Quæ quidem ego, Patres conscripti, qui illa nunquam probavi, tamen ita conservanda concordiae causa arbitratus sum, ut non modo, quas vivus leges Cæsar tulisset, infirmandas hoc tempore non putarem, sed ne illas quidem, quas post mortem Cæsaris prolatas esse et fixas videtis.

X. De exsilio reducti a mortuo; civitas data non solum singulis, sed nationibus¹ et provinciis universis a mortuo; immunitatibus infinitis² sublata vectigalia a mortuo. Ergo hæc, uno, verum optimo, auctore³ domo prolata, defendimus: eas leges, quas ipse, vobis inspectantibus, recitavit, pronuntiavit, tulit, quibus latis gloriabatur, eisque legibus

5. *Ipsam vim*] To harass the republic with a new sedition, arising out of his appeal to the mob, from his sentence for the old. For a person appealing to the people, i. e. to an armed mob, may well be said 'ad vim reverti.'

6. *Quid est aliud*] Cic. either omits or inserts *nisi* after this form. Phil. v. 2.

7. *Obrogatur*] 'Abrogare,' to annul a law; 'derogare,' to annul it in part; 'subrogare,' to add a part to a law; *obrogare*, to weaken it by a counter-law. In one sentence, (Att.

iii. 23,) we find 'Quod per legem Clodiam promulgare, abrogare, derogare, obrogare sine fraude sua non liceat.'

SECT. X.—1. *Civitas—nationibus*] To the Sicilians, for instance. Att. xiv. 12.

2. *Immunit.—infinis.*] By countless immunities.

3. *Uno verum optimo, auctore*] 'Antony.' This passage seems to confirm the first sense given to this word, *supr.* 7. n. 8, else the words *uno—optimo* lose the irony. 'Domo' should mean Cæsar's house.

republicam contineri⁴ putabat, de provinciis, de judiciis,⁵ eas, inquam, Cæsaris leges, nos, qui defendimus acta Cæsaris, evertendas putamus? Ac de iis tamen legibus, quæ promulgatæ sunt, saltem queri possumus: de iis, quæ jam latæ dicuntur, ne illud quidem licuit. Illæ enim sine ulla promulgatione latæ sunt ante quam scriptæ.⁶ Quærunt, quid sit, cur aut ego, aut quisquam vestrum, Patres conscripti, bonis tribunis⁷ plebis, leges malas metuat. Paratos habemus, qui intercedant; paratos,⁸ qui rempublicam religione⁹ defendant; vacui metu esse debemus.—Quas tu mihi, inquit, intercessionem, quas religiones?—Eas scilicet, quibus reipublicæ salus continetur.¹⁰ Negligimus ista, et nimis antiqua et stulta ducimus. Forum sapietur; omnes clauduntur aditus; armati in præsidiis multis locis collocabuntur.—Quid tum? Quod ita erit gestum, id lex erit; et in æs incidi jubebitis,¹¹ credo, illa legitima: ‘Consules populum¹² jure rogaverunt,’ (hocine a majoribus accepimus jus rogan-

4. *Contineri*] This word often means, in Cic., ‘to establish’ or ‘strengthen;’ as Off. ii. 24, ‘nulla res vehementius rempublicam *continet* quam fides,’ and might be so translated here. However the ordinary meaning seems better to express the vanity of Cæsar about his darling laws.

5. *De provinciis, de judiciis*] The laws for abridging and ascertaining the time during which the provinces were assigned to magistrates ceasing their functions, and for regulating the classes from which the ‘judices’ were drawn. V. E.

6. *Antequam scriptæ*] Not ‘drawn up,’ absolutely, but before they were drawn up for public inspection.

7. *Bonis tribunis*] ‘Bonis’ has been supposed, like ‘optimo,’ above, to contain an ironical allusion to Antony’s brother, who was a tribune. But the drift of the passage does not require it. Cic. says, ‘no matter how good the tribunes, Antony disregards them and their *votos*.’

8. *Paratos*] ‘Paratos’ should refer

to tribunis plebis, preceding. But some considering ‘religio,’ i. e. ‘auspicia,’ as the proper business of the augurs, referred it to ‘augures’ understood; of whom they observed, Antony was one. But tribunes, or indeed, any of the higher magistrates, could observe the heavens. Phil. ii. 38. ‘Cur autem ea comitia non habuisti? An quia *tribunus plebis* sinistrum fulmen nuntiabat? Cum tua quid interest, nulla auspicia, sunt, &c. &c.’

9. *Religione*] De cœlo servando, obnuntiando, &c. Ern.

10. *Salus continetur*] By preventing the passing of bad laws.

11. *Jubebitis*] Al. *videbitis*. But the former contains a sarcasm on the consuls. For *credo* al. *cedo*. But Cic. says, ironically, “You will, I suppose, engrave on brass the laws so passed, not omitting the legal formula, ‘Consules rogaverunt, &c.’” But permit me to ask ‘qui populus? isne, &c.’

12. *Consules populum, &c.*] There is extant the heading of a law in

di?) ‘populusque jure scivit.’ Qui populus? isne, qui exclusus est? Quo jure? an eo, quid vi et armis omne sublatum est? Atque ego hæc dico de futuris;¹³ quod est amicorum ante dicere ea, quæ vitari possint: quæ si facta non erunt, refelletur oratio mea. Loquor de legibus promulgatis: de quibus est integrum vobis. Demonstro vitia: tollite! Denuntio vim, arma:¹⁴ removete!

XI. Irasci quidem vos mihi, Dolabella, pro republica dicenti, non oportebat. Quamquam te quidem id facturum non arbitror. Novi facilitatem tuam. Collegam tuum¹ aiunt in hac sua fortuna, quæ bona ipsi videtur, mihi, ne gravius quidpiam dicam, avorum et avunculi² sui consulatum si imitaretur, fortunatior videretur: sed eum iracundum audio esse factum. Video autem, quam sit odiosum habere iratum eundem, et armatum, quum tanta præsertim gladiatorum sit impunitas. Sed proponam jus, ut opinor, æquum, quod M. Antonium non arbitror repudiaturum. Ego, si quid in vitam ejus, aut in mores cum contumelia³ dixerò, quo minus mihi inimicissimus sit, non recusabo. Sin consuetudinem meam, quam in republica semper habui, tenuero, id est, si libere, quæ sentiam, de republica dixerò: primum deprecor, ne irascatur; deinde, si hoc non impetro, peto, ut sic irascatur, ut civi. Armis utatur, si ita necesse est, ut dicit, sui defendendi causa:⁴ iis, qui pro republica, quæ ipsis visa erunt,

these very words, ‘Tit: Quintius Crisp: Coss: populum jure rogavit; populusque jure scivit.’

13. *Hæc dico de futuris*] Cicero was, as yet, keeping on terms with Antony; and therefore, to soften the asperity of his remarks, he adds, that they have wholly a future application. The laws are only promulged—not enacted; the neglect of the auspices can be corrected, and the armed troops removed. Thus may my speech be best refuted, and my fears proved groundless.

14. *Denuntio vim, arma*] I predict that violence will be employed. V. E.

SECT. XI.—1. *Collegam tuam*] These words being subject to no infinitive, make the construction ἀνα-

κόλουθον.

2. *Avorum—avunculi*] Antony’s paternal grandfather was M. Antony, the orator, consul, A. U. 654; his maternal grandfather, L. Cæsar, consul A. U. 662. His maternal uncle was L. Cæsar, consul A. U. 689. His paternal uncle, C. Antonius, is, for obvious reasons, omitted here.

3. *Si quid—cum contumelia*] Can Cicero be said to abide by that test? V. E.

4. *Sui defendi causa*] Antony had obtained a guard from the senate on this pretext. Phil. v. 6. ‘Illa non gravissimis ignominiiis . . . sunt notanda, quod unus M. Antonius in hac urbe post conditam urbem palam secum habuerit armatos?’ Phil. ii. 44.

dixerint, ista arma ne noceant. Quid hac postulatione⁵ dici potest æquius? Quod si, ut mihi a quibusdam ejus familiaribus dictum est, omnis eum, quæ habetur contra voluntatem ejus, oratio graviter offendit, etiam si nulla inest contumelia: feremus amici naturam. Sed iidem illi ita mecum:⁶ “Non iidem tibi, adversario Cæsaris,⁷ licebit, quod Pisoni socero:” et simul admonent quiddam, quod cavebimus; nec erit justior, Patres conscripti, in senatum non veniendi morbi causa, quam mortis.⁸

XII. Sed per deos immortales! te enim intuens, Dolabella, qui es mihi carissimus, non possum de utriusque vestrum errore reticere. Credo enim vos, nobiles¹ homines, magna quædam spectantes, non pecuniam, ut quidam nimis creduli suspicantur, quæ semper ab amplissimo quoque clarissimoque contempta est, non opes violentas² et populo Romano minime ferendam potentiam, sed caritatem civium et gloriam concupisse. Ea est autem gloria, laus recte factorum magnorumque in rempublicam fama meritorum, quæ quum optimi cujusque, tum etiam multitudinis testimonio comprobatur. Dicerem, Dolabella, qui recte factorum fructus esset, nisi te præter ceteros paullisper esse expertum viderem. Quem potes recordari in vita illuxisse tibi diem læ-

5. *Hac postulatione*] Donatus says, ‘petimus precariò, poscimus impetire, postulamus jure.’

6. *Sed iidem illi ita mecum*] Sc. ‘loquuntur.’ Thus Virg. *Æn.* i. 37. ‘Hæc secum,’ sc. locuta est.

7. *Adversario Cæsaris*] Cic. had been a Pompeian.

8. *Quod cavebimus—quam mortis*] This is usually explained as if he said, ‘The friends of Antony threaten my life; now if he thought my excuse of ill health, a bad one, surely he cannot object to the force of this—that I am in danger of being assassinated.’ But Cicero, after his boast, c. 6, would hardly have recourse to so dastardly a plea; besides the words ‘nec erit,’ in construction, depend upon ‘cavebimus;’ so that the conjecture of Orel. is worth notice, that ‘morti’ and ‘mortis’ have, by

the ignorance of transcribers, changed places. Then it will be: ‘and warned by the danger, I shall take care that you may not, when I am slain, have it to say, that Cic. has now a fair excuse for not attending the senate.’

SECT. XII.—1. *Nobiles*] They were both plebeians, Antony by birth, Dolabella by adoption. The ‘gens Antonia’ consisted of two branches—a patrician and plebeian. Mark Antony, the orator, was the first that introduced the consulship into the plebeian branch. That it was plebeian is past a doubt, as M. Antony was tribune of the people without adoption.

2. *Opes violentas*] Alluding, perhaps, to Cæsar’s tyranny.

3. *Paullisper*] This word is omitted in some MSS.

tiorem, quam quum, expiato foro,⁴ dissipato concursu impiorum,⁵ principibus sceleris poena affectis, urbe incendio et cædis metu liberata, te domum recepisti? Cujus ordinis, cujus generis, cujus denique fortunæ studia tum laudi et gratulationi tuæ se non obtulerunt? Quin mihi etiam, quo auctore te in iis rebus uti arbitrabantur, et gratias boni viri agebant, et tuo nomine gratulabantur. Recordare, quæso, Dolabella, consensum illum theatri, quum omnes earum rerum obliti,⁶ propter quas fuerant tibi offensi, significarunt, se beneficio novo memoriam veteris doloris abjecisse. Hanc tu, P. Dolabella, (magno loquor cum dolore,) hanc tu, inquam, æquo animo potuisti tantam dignitatem deponere?

XIII. Tu autem, M. Antoni, (absentem appello,) unum illum diem,¹ quo in æde Telluris senatus fuit, non omnibus iis mensibus,² quibus te quidam, multum a me dissentientes, beatum putant, anteponis? Quæ fuit oratio de concordia! quanto metu veterani,³ quanta sollicitudine civitas tum a te liberata est! Quum collegam tuum depositis inimiciis, oblitus auspicia⁴ a te ipso augure populi Romani nuntiata, illo primum die collegam tibi esse voluisti, tuus parvulus filius in Capitolium a te missus pacis obses fuit: quo senatus die lætior? quo populus Romanus? qui quidem nulla in concione unquam frequentior fuit. Tum denique⁶ liberati per viros fortissimos videbamus; quia, ut illi voluerunt, libertatem pax sequebatur. Proximo altero, tertio,⁷ denique

4. *Expiato foro*] Alluding to the demolition of the column. Supr. 2.

5. *Impiorum*] For bestowing divine honours on a dead man.

6. *Earum rerum obliti*] Supr. 2. n. 9. Among them was, his proposing 'novæ tabulæ,' after the example of Catiline.

7. *Tantam dignitatem deponere*] Dolabella had, by this time (the 3rd of September,) given in his adhesion to Antony.

SECT. XIII.—1. *Unum illum diem*] The 17th March. Introd. 2.

2. *Iis mensibus*] Since Cæsar's death.

3. *Quanto metu veter.*] Their alarm may have proceeded from the apprehension of losing what they had

received from Cæsar's bounty.—This word is omitted by Sch. and Wernsdorf. Ern. would read *senatus*. V. E.

4. *Oblitus auspicia*] *Al. auspiorum*, the pretended auspices ridiculed by Cic. Phil. ii. 33. It did not suit his purpose to do so here. It appears that Antony did not give up his opposition to Dolabella's appointment, till after Cæsar's death, i. e. till it suited his own purposes.

5. *Tuus parvulus filius*] Supr. 1. n. 13., where 'liberos' is found; but if he uses the word at all, its plural form could not be avoided.

6. *Tum denique*] For *tum demum*.

7. *Prox. altero, &c.*] Orel. makes *proximo* agree with 'altero;' 'the

reliquis consecutis diebus, non intermittebas quasi donum aliquod quotidie afferre reipublicæ: maximum autem illud, quod dictaturæ nomen sustulisti. Hæc inusta est a te, a te, inquam, mortuo Cæsari nota ad ignominiam sempiternam. Ut enim propter unius M. Manlii⁸ scelus, decreto gentis Manliæ neminem patricium⁹ Marcum Manlium vocari licet: sic tu, propter unius dictatoris odium, nomen dictatoris funditus sustulisti. Num te, quum hæc pro salute reipublicæ tanta gessisses, fortunæ tuæ, num amplitudinis, num claritatis, num gloriæ pœnitebat? Unde igitur subito tanta ista mutatio? Non possum adduci, ut suspicer, te pecunia captum:¹⁰ licet, quod cuique libet, loquatur; credere non est necesse. Nihil enim unquam in te sordidum, nihil humile cognovi. Quamquam solent domestici¹¹ depravare nonnunquam: sed novi firmitatem tuam. Atque utinam, ut culpam, sic etiam suspicionem vitare potuisses!

XIV. Illud magis vereor, ne ignorans verum iter gloriæ, gloriosum putes, plus te unum posse, quam omnes, et metui a civibus tuis, quam diligi malis. Quod si ita putas, totam ignoras viam gloriæ. Carum esse civem, bene de republica mereri, laudari, coli, diligi, gloriosum est: metui vero, et in odio esse, invidiosum, detestabile, imbecillum, caducum.—Quod videmus etiam in fabulis, ipsi illi,¹ qui “Oderint, dum metuant,” dixerit, perniciosum fuisse. Utinam, Antoni, avum tuum meminisses! de quo tamen audisti multa ex me

very next;’ sc. to the seventeenth, on which the senate met in the temple of Tellus. ‘Tertio’ is the nineteenth. Ern., however, reads ‘proximo, altero.’

8. *M. Manlii*] Liv. vi. 20. After the battle of Actium, the family of M. Antony was subjected to the same ignominy; and what is strange, at the motion of Cicero’s son. Dio Cass. 51.

9. *Neminem patricium*] For there were plebeians of the name. Ern., however, says there were not at that time, and doubts the word ‘patricium.’

10. *Pecunia captum*] It could only be accounted for by two passions, avarice and ambition. He rejects the

first, as being the passion of little minds. And, indeed, considering the lavish disposition of Antony, well he might. Phil. ii. 37.

11. *Domestici*] He hints here, perhaps, at Fulvia, who had already ruined Clodius and Curio. The translators render it ‘dependents.’—But it is not likely that the word had then this signification. In the Augustan history, it signifies, ‘the prince’s body-guard.’

SECT. XIV.—1. *Ipsi illi*] Atreus, who was expelled from his kingdom. Seneca, in quoting the expression, adds, ‘Sullano sæculo scias scriptum.’ Hence it is probable that it was used by Attius, a poet of Sylla’s age, in his tragedy of Atreus. This

sæpissime. Putasne illum immortalitatem mereri² voluisse, ut propter armorum habendorum³ licentiam metueretur?— Illa erat vita, illa secunda fortuna, libertate esse parem ceteris, principem dignitate. Itaque, ut omittam res avi tui prosperas, acerbissimum ejus supremum diem malim, quam L. Cinnæ⁴ dominatum, a quo ille crudelissime est interfectus.

Sed quid oratione te flectam? Si enim exitus C. Cæsaris efficere non potest, ut malis carus esse, quam metui, nihil cujusquam proficiet, nec valebit oratio. Quem qui beatum fuisse putant, miseri ipsi sunt. Beatus est nemo, qui ea lege vivit, ut non modo impune, sed etiam cum summa interfectoris gloria interfici possit. Quare flecte te, quæso, et majores tuos respice, atque ita gubernare rempublicam, ut natum esse te cives tui gaudeant; sine quo nec beatus, nec clarus esse quisquam potest.

XV. Et populi quidem Romani judicia multa ambo habetis, quibus vos non satis moveri permolesto fero. Quid enim gladiatoribus¹ clamores innumerabilium civium? quid populi versus? quid Pompeii statuæ² plausus infiniti? quid³ tribunis plebis, qui vobis adversantur? Parumne hæc significant incredibiliter consentientem populi Romani universi voluntatem? Quid? Apollinarium ludorum plausus, vel testimonia potius et judicia populi Romani parum magna vobis videbantur? O beatos illos, qui, quum adesse ipsis

monarch was a common subject for tragedy in all ages. Vide Juv. vii. 73.

2. *Immortalitatem mereri*] Be willing to take. Verr. vi. 16. 'Quid arbitramini Rheginos merere velle, ut ab iis marmorea Venus illa auferatur?'

3. *Habendorum*] This word is omitted by Sch.: al. *metuendorum*.

4. *Lucii Cinnæ*] Cat. iii. 10. n. 10.

5. *A quo—est interf.*] In this Cic. differs from Appian, Plutarch, Florus, &c., who attribute the murder of Antony to Marius. Vel. Pater. ii. 22, reconciles them thus: 'jussu Marii Cinnæque confossus est.' Cic. chose to refer it to Cinna, as he was

often obliged to notice Marius as a friend to the republic, Cinna never.

SECT. XV.—1. *Gladiatoribus*] i. e. At the gladiatorial games. Phil. ix. 7. The Greeks used ἐπὶ τῶν πραγμάτων similarly. These games were exhibited by C. Antonius, the prætor, in the name of M. Brutus. Att. xvi. 2.

2. *Versus*] The rude verses which the people made in praise of the friends and derision of the enemies of liberty. Al. *concurus*.

2. *Pompeii statuæ*] The shews were exhibited in Pompey's theatre, where the spectators had an opportunity of shouting at his statue, therein erected. *Statuæ* is the dative case.

3. *Quid* 11.] i. e. Duobus. Asprenas Nonius and T. Canutius, are

propter vim armorum⁴ non licebat,⁵ aderant tamen et in medullis populi Romani ac visceribus hærebant! Nisi forte Accio⁶ tum plaudi, et sexagesimo post anno palmam dari, non Bruto, putabatis, qui ludis suis ita caruit, ut in illo apparatissimo spectaculo studium populus Romanus tribuerit absenti, desiderium liberatoris sui perpetuo plausu et clamore leniret.

Equidem is sum, qui istos plausus, quum a popularibus civibus⁷ tribuerentur, semper contempserim: idemque quum a summis, mediis, infimis,⁸ quum denique ab universis hoc idem fit, quumque ii, qui ante sequi populi consensum solebant, fugiunt; non plausum illum, sed iudicium puto. Sin hæc leviora vobis videntur, quæ sunt gravissima: num etiam hoc contemnitis, quod sensistis, tam caram populo Romano vitam A. Hirtii⁹ fuisse? Satis erat enim, probatum illum esse populo Romano, ut est; jucundum amicis, in quo vincit omnes; carum suis, quibus est carissimus: tantam tamen sollicitudinem bonorum, tantum timorem in quo meminimus? Certe in nullo.

Quid igitur? hoc vos, per deos immortales! quale sit, non interpretamini? Quid eos de vestra vita cogitare censetis, quibus eorum, quos sperant reipublicæ consulturos, vita tam cara sit? Cepi fructum, Patres conscripti, reversionis meæ:

mentioned by Dio, Appian, &c. as partisans of Augustus, and opponents of Antony. Three tribunes, however, are named, Phil. iii. 9.

4. *Propter vim armorum*] The fear of the veterans.

5. *Adesse non licebat*] Brutus was at this time at Nesis, a small island near Puteoli, where Lucullus had a villa. The proclamation of the games being, by accident, dated July, instead of Quintilis, gave Brutus much uneasiness, as it, in some degree, recognized the tyranny of Cæsar. To remedy this, he proposed to have the fight of the wild beasts after the Apollinarian games, and a new and properly dated proclamation. Brutus professed himself more obliged to Attius than Antony, for the applause. Att. xvi. 2.

6. *Nisi forte Accio*] The play of Attius was called Tereus—not Brutus, as Manutius says. Att. xvi. v. 'Tuas jam literas Brutus expectabat, cui quidem ego non novum attuleram de Tereo Attii, ille Brutum putabat.'—No doubt the story of Junius Brutus had been dramatized.

7. *Popularibus civibus*] Abram. omits the proposition, and understands it, 'to citizens seeking popularity.' Cic. means 'political men,' or demagogues—'qui sequi consensum populi solebant.' So Garat. 'When leading citizens dictate this applause.'

8. *Summis, mediis, infimis*] The three orders—patricians, knights, plebeians.

9. *Hirtii*] He was consul elect: and though he had been an ardent

quoniam et ea dixi, ut, quicumque casus consecutus esset, exstaret constantiæ meæ testimonium, et sum a vobis benigne ac diligenter auditus. Quæ potestas¹⁰ si mihi sæpius sine meo vestroque periculo fiet, utar. Si minus, quantum poterō, non tam mihi me, quam reipublicæ reservabo. Mihi fere satis est, quod vixi,¹¹ vel ad ætatem, vel ad gloriam.— Huc si quid accesserit, non tam mihi, quam vobis reipublicæ accesserit.

supporter of Cæsar, was considered and proved to be a no less ardent friend of the commonwealth; in whose cause he fell at Mutina, a few months after. It is probable that prayers were decreed for his health, which was then bad. Juv. Sat. 283.

10. *Quæ potestas*] i. e. If Antony persists in blockading the senate-house, I shall not come near it, or hazard my life, not that I value it for itself, but that it may be of service to my country. Sup. 11. n. 3.

M. TULLII CICERONIS

IN

MARCUM ANTONIUM,

SECUNDA*

ORATIO.

I. QUONAM meo fato,¹ Patres conscripti, fieri dicam, ut nemo his annis viginti² reipublicæ fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit? Nec vero necesse est quemquam a me nominari. Vobiscum ipsi recordamini. Mihi pœnarum illi³ plus, quam optarem, dederunt; te miror, Antoni, quorum facta imitere, eorum exitus non perhorrescere. Atque hoc in aliis minus mirabar. Nemo illorum inimicus mihi fuit voluntarius: omnes a me reipublicæ causa⁴ lacessiti. Tu, ne verbo quidem violatus, ut audacior,⁵ quam Catilina; furiosior, quam Clodius, viderere,

* Vid. Introd. 9.

SECT. I.—1. *Fato*] From 'fari,' i. e. 'dictum dei,' here used for 'hap' or 'fatality.' It is taken in a bad or good sense. So Ovid. R. A. 566, 'Uxorem fato credat obesse suo.' Conversely, Cic. 2. Frat. i. 4. 'Uno meo fato, tu, &c., corruistis.'

2. *Annis viginti*] This time had elapsed since the consulate of Cicero, A. U. 690, which was accompanied by the Catilinarian conspiracy: the disturbances excited by Clodius had

followed, and then the civil wars.

3. *Pœnarum illi*] Catiline, Clodius, &c., whose wretched fate is well known.

4. *Reipub. causa*] Cic. forgets that revenge first induced him to oppose Catiline, and that he was led by the urgency of his wife, to give evidence against Clodius in the affair of Bona Dea. Mil. Introd. 2.

5. *Ut audacior, &c.*] i. e. 'Me maledictis lacessisti ita ut viderere audacior quam, &c.' 'Ultro,' unpro-

ultro me maledictis lacesisti, tuamque a me alienationem commendationem tibi ad impios cives fore putavisti. Quid putem? contemptumne me? Non video nec in vita, nec in gratia,⁶ nec in rebus gestis, nec in hac mea mediocritate ingenii, quid despiciere possit Antonius. An in senatu facillime de me detrahi posse credidit? qui ordo clarissimis civibus bene gestæ reipublicæ testimonium multis, mihi uni⁷ conservatæ dedit. An decertare mecum voluit contentione dicendi? Hoc quidem beneficium est. Quid enim plenius, quid uberius, quam mihi et pro me, et contra Antonium dicere? Illud profecto est. Non existimavit, sui similibus probari posse, se esse hostem patriæ, nisi mihi esset inimicus. Cui priusquam de ceteris rebus respondeo, de amicitia, quam a me violatam esse criminatus est, quod ego gravissimum crimen judico, pauca dicam.

II. Contra rem suam¹ me, nescio quando, venisse² questus est. An ego non venirem contra alienum³ pro familiari et necessario? Non venirem contra gratiam, non virtutis spe, sed ætatis flore⁴ collectam? Non venirem contra injuriam, quam iste intercessoris iniquissimi beneficio⁵ obtinuit, non jure prætorio?⁶ Sed hoc idcirco commemoratum a te puto, ut te infimo ordini⁷ commendares, quum te omnes recorda-

voked by me. Cic. alludes to Antony's reply to his first Philippic. *Introd.* 8.

6. *Gratia*] This was shewn particularly in the general mourning for Cicero's banishment, and joy at his return.

7. *Mihi uni, &c.*] *Cat.* iii. 6. n. 16. Also *Phil.* xiv. 8. 'Mihi, consuli, supplicatio, nullis armis sumptis, non ob cædem hostium, sed ob conservationem civium, novo inauditoque genere, decreta est.'

SECT. II.—1. *Rem suam*] Against Antony's interest. The circumstances to which Cicero here alludes are not now known: it has been conjectured that in a suit in which Q. Fadius Bambalio, father of Antony's first wife, was defendant, and a friend of Cicero, not named, was his opponent, some attempt was made to influence a tribune to interpose illegally, and prevent the trial.

2. *Venisse*] *Scil. in judicium*; the judicial term for appearing as the party's advocate. *Manut.* *Muren.* 4. 'Turpe existimas, te advocato, illum ipsum, contra quem veneris, causâ cadere.'

3. *Alienum*] i. e. Fadius, as explained above. *Phil.* iii. 6. 'Tuæ conjugis, bonæ feminæ, locupletis certe, Bambalio quidam pater est, homo nullo numero. Nihil illo contemptius, qui propter hæsitantiam linguæ, stuporemque cordis cognomen ex contumelia traxit.'

4. *Ætatis flore*] *Inf.* 18.

5. *Intercessoris—beneficio*] Perhaps interposing his negative when he saw the suit likely to terminate in favour of Cicero's friend.

6. *Jure prætorio*] The various edicts of the prætors formed into a 'corpus juris' was so called.

7. *Infimo ordini*] The plebeian, whose magistræte was appealed to.

rentur libertini generum, et liberos tuos, nepotes Q. Fadii, libertini hominis, fuisse. At enim te in disciplinam meam tradideras: (nam ita dixisti;) domum meam ventitaras.⁸ Næ tu, si id fecisses, melius famæ, melius pudicitiae tuæ consulisses. Sed neque fecisti, nec, si cuperes, tibi id per C. Curionem⁹ facere licuisset. Auguratus petitionem mihi te concessisse dixisti. O incredibilem audaciam! O impudentiam prædicandam! Quo enim tempore¹⁰ me augurem¹¹ a toto collegio expetitur Cn. Pompeius et Q. Hortensius nominaverunt,¹² (neque enim licebat a pluribus nominari,) tu nec solvendo eras,¹³ nec te ullo modo, nisi eversa republica, fore incolumem putabas. Poteras autem eo tempore auguratum petere, quum in Italia Curio non esset?¹⁴ aut tum, quum es factus,¹⁵ unam tribum sine Curione ferre potuisses? cujus etiam familiares de vi condemnati sunt, quod tui nimis studiosi fuissent.

III. At beneficio sum tuo usus. Quo? Quamquam¹ illud ipsum, quod commemoras, semper præ me tuli. Malui

Others understand it of the libertines, who might feel complimented by one of their body—Fadius, being so supported.

8. *Domum—ventitaras*] Young noblemen on assuming the manly gown, used to put themselves under the direction of some distinguished orator or philosopher. Pers. Sat. v. 30.

9. *C. Curionem*] Curio's youth was notorious for profligacy, which, however, in manhood gave place to ambition. He became a favourite with the aristocracy and opponent of the Triumvirate. Cæsar had the address to gain him over to his cause, and the courage and firmness which he displayed in supporting it, rendered him no favourite with Cicero. He fell in Africa, fighting against Sabura, a general of Juba. Inf. 5. n. 6.

10. *Quo tempore.*] A. v. 700. For he was appointed in place of Crassus, who was slain by the Parthians.

11. *Me augurem, &c.*] 'Tres fecerunt collegium,' was a proverb at Rome. There were originally three augurs; one for each tribe; but as

the tribes increased so did the augurs. There were now fifteen.

12. *Nominaverunt*] For several ages the colleges of priests nominated their own members. Cn. Domitius, A. v. 649, by a law transferred the appointment to the people. This law was annulled by Sylla, and restored by Labienus. It appears from this passage, that the rule was, for two of the college to nominate, and the people to select out of their nominees. Antony finally restored the right to the college.

13. *Nec solvendo*] Sc. *aptus*. 'Cum solvendo civitates non essent.' Fam. iii. 8.

14. *In Italia Curio non esset*] He was then quæstor in Asia. Fam. ii. 5. 6.

15. *Tum quum es factus*] Sc. A. v. 703. Curio was tribune of the commons the preceding year, and through his influence, backed by Cæsar's authority, Antony obtained both the augurship and tribuneship.

SECT. III.—1. *Quamquam*] Mil. 2. n. 18.

me tibi debere confiteri, quam cuiquam minus prudenti non satis gratus videri. Sed quo beneficio? quod me Brundisii² non occideris? Quem ipse victor, qui tibi, ut tute gloriari solebas, detulerat ex latronibus³ suis principatum, saluum esse voluisset, in Italiam ire iussisset,⁴ eum tu occideres? Fac potuisse.⁵ Quod est aliud, Patres conscripti, beneficium latronum, nisi ut commemorare possint, iis se dedisse vitam, quibus non ademerint? Quod si esset⁶ beneficium, nunquam qui illum interfecerunt, a quo erant conservati,⁷ quos tu ipse clarissimos viros soles appellare, tantam essent gloriam consecuti. Quale autem beneficium est, quod te abstinueris nefario scelere? Qua in re non tam jucundum mihi videri debuit, non interfectum a te, quam miserum, te id impune facere potuisse. Sed sit beneficium, quandoquidem majus accipi a latrone nullum potuit: in quo potes me dicere ingratum? An de interitu reipublicæ⁸ queri non debui, ne in te ingratus viderer? At in illa querela,⁹ misera quidem et luctuosa, sed mihi pro hoc gradu, in quo me senatus populusque Romanus collocavit, necessaria, quid est dictum a me cum contumelia? quid non moderate? quid non amice? Quod quidem cujus temperantiæ fuit, de M. Antonio¹⁰ querentem, abstinere maledicto? præsertim quum tu reliquias reipublicæ dissipavisses; quum domi tuæ¹¹ turpissimo mer-

2. *Quod me Brundisii, &c.*] Cicero had been directed by Dolabella, at the instance of Cæsar, to repair to Italy immediately; therefore Antony who commanded there, could not have slain Cic., at least by Cæsar's orders, though certainly the general instructions under which Antony was acting, might well have warranted him in doing so, if he had been so disposed. Att. xi. n. 7.

3. *Ex latronibus*] Ex, 'among,' not 'over.' Arch. 4. n. 27.

4. *Ire iussisset*] Sc. in the letter of Dolabella, which he had written by Cæsar's direction.

5. *Fac potuisse*] Jure belli.

6. *Quod si esset, &c.*] Cic. argues that it was not a favour to be preserved by Cæsar; for if it were, the assassins of Cæsar were ungrateful,

and therefore undeserving of glory. But they did obtain glory, therefore, &c.

7. *A quo erant conservati*] Out of this number are generally excepted Brutus and Cassius; but as the conspirators were numerous, upwards of sixty, it is probable there were more who never owed their life to Cæsar. Among those who did were Rubrius Rex, Q. Ligarius, Servius Galba, &c. &c.

8. *De interitu reipublicæ*] Antony was even a greater tyrant than Cæsar, as appeared by his revoking Cæsar's useful laws.

9. *In illa querela*] Contained in the first Philippic.

10. *De M. Antonio*] These words are emphatic.

11. *Domi tuæ*] Inf.³⁷. 'In gynæceo;

catu omnia essent venalia ; quum leges eas,¹² quæ nunquam promulgatæ essent, et de te,¹³ et a te latas confiterere ; quum auspicia augur,¹⁴ intercessionem consul¹⁵ sustulisses ; quum esses foedissime stipatus armatis,¹⁶ quum omnes impuritates pudica in domo¹⁷ quotidie susciperes, vino lustrisque confectus. At ego, tamquam mihi cum M. Crasso¹⁸ contentio esset, quocum multæ et magnæ fuerunt, non cum uno gladiatore¹⁹ nequissimo, de republica graviter querens, de homine nihil dixi. Itaque hodie perficiam ut intelligat, quantum a me beneficium tum acceperit.

IV. At etiam literas,¹ quas me sibi misisse diceret, recitavit, homo et humanitatis expers, et vitæ communis ignarus. Quis enim unquam, qui paullulum modo bonorum consuetudinem nosset, literas ad se ab amico missas, offensione aliqua interposita, in medium protulit, palamque recitavit ? Quid est aliud, tollere e vita vitæ societatem, tollere² amicorum colloquia absentium ? quam multa joca solent esse in epistolis, quæ, prolata si sint, inepta videantur ! quam multa seria, neque tamen ullo modo divulganda ! Sit hoc inhu-

quo in loco multæ res veniere, &c.'

12. *Leges eas*] Among these were a law to confer the freedom of the city on the Sicilians ; a law about Deiotarus ; an Agrarian law ; and a law to abolish the name of dictator.

13. *De te*] The Licinian and Æbutian laws forbad the legislator or his relatives to have any share in the execution of a law. This was notoriously violated by Antony.

14. *Auspicia augur*] Which was of course a more flagrant act in him than an ordinary man. Inf. 33.

15. *Intercessionem consul*] This he did, either by stationing guards to prevent the tribunes from entering the forum and senate, or by not promulgating the laws at all.

16. *Stipatus armatis*.] Phil. i. 7. n. 5.

17. *Pudica in domo*] Pompey's. Hence inf. 27. 'Tu ingredi illam domum ausus es, &c.'

18. *M. Crasso*] Plut. Crass. 13. The ground of their enmity was an

insinuation of Cicero's, that Crassus had a share in the Catilinarian conspiracy ; but a reconciliation was at length effected through the good offices of young Crassus, who was a pupil and admirer of Cicero's.

19. *Uno gladiatore*] 'Unus' is sometimes employed for 'aliquis,' 'quidam ;' occasionally, contemptuously. *Forcel.* V. E.

SECT. IV.—1. *At etiam literas*] Antony having procured from Cæsar the recall of S. Clodius from banishment, wrote a polite letter to Cic., apprising him of the fact, and begging his concurrence. Cicero's reply was highly complimentary : 'Ego vero tibi istuc, mi Antoni, remitto ; atque ita ut me a te, quum his verbis scripseris, liberalissime et honorificentissime tractatum existimem.' Att. xiv. 13. Antony, in his speech, quoted this to shew Cicero's estimation of him a few months before.

2. *Tollere*] Al. *quam tollere*. Trans. In what else consists the robbing life

manitatis tuæ: stultitiam incredibilem videte. Quid habes, quod mihi opponas, homo diserte, ut Mustelæ Tamisio et Tironi Numisio³ videris? qui quum hoc ipso tempore stent cum gladiis in conspectu senatus, ego quoque te disertum putabo, si ostenderis, quomodo sis eos inter sicarios⁴ defensusurus. Sed quid opponas tandem, si negem, me unquam istas literas ad te misisse? quo me teste convincas? An chirographo?⁵ in quo habes scientiam quæstuosam.⁶ Qui possis? sunt enim librarii manu. Jam invideo magistro tuo,⁷ qui te tanta mercede,⁸ quantam jam proferam, nihil sapere docuit. Quid est enim minus non dico oratoris, sed hominis, quam id obijcere adversario, quod ille si verbo negarit, longius progredi non possit, qui objecerit? At ego non nego: teque in isto ipso convinco non inhumanitatis solum, sed etiam amentiae. Quod enim verbum in istis literis⁹ est non plenum humanitatis, officii, benevolentiae? Omne autem crimen tuum est, quod de te in his literis non male existimem; quod scribam tamquam ad civem, tamquam ad bonum virum, non tamquam ad sceleratum et latronem. At ego tuas literas, etsi jure poteram a te lacessitus, tamen non proferam: quibus petis, ut tibi per me liceat quendam¹⁰ de exsilio reducere, adjurasque, id te, invito me, non esse facturum, idque a me impetras. Quid enim me interponerem audaciae tuæ? quem neque auctoritas hujus ordinis, neque existimatio populi Romani, neque leges ullæ possent coercere. Veruntamen quid erat, quod me rogares, si erat is, de quo rogabas, Cæsaris lege reductus?¹¹ Sed videlicet

of its social joys, the robbing it of the converse of absent friends, if not in this?

3. *Mustelæ—Numisio*] These were leaders of Antony's gladiators. Phil. v. 6. viii. 9. *V. E.*

4. *Inter sicarios*] If accused under the law inflicting punishment on assassins. *V. E.* 'Sicarius' from 'sica.' Mil. 6. n. 18.

5. *Chirographo*] A manuscript or signature.

6. *Scientiam quæstuosam*] He insinuates that Antony forged Cæsar's writing and signature. Inf. 14.

7. *Magistro tuo*] Clodius, a rhetor-

ician of Sicily, and favourite of Antony. Suet. de Clar. Rhet.

8. *Tanta mercede*] Inf. 39, and more fully, Phil. iii. 9. 'En, cur magister ejus, ex oratore arator factus, possideat, in agro publico populi Romani, campi Leontini duo millia jugerum immunia; ut hominem stolidum magis etiam infatuet mercede publica.'

9. *Istis literis*] Att. xiv. 13. Supr. 6. n. 1.

10. *Quendam*] Sext. Clodius.

11. *Cæsaris lege reductus*] Phil. i. 1. 'Num qui exsules restituti? unum aiebant; præterea neminem.'

meam gratiam¹² voluit esse: in quo ne ipsius quidem ulla esse poterat, lege lata.

V. Sed quum mihi, Patres conscripti, et pro me aliquid,¹ et in M. Antonium multa dicenda sint: alterum peto a vobis, ut me, pro me dicentem, benigne; alterum ipse efficiam, ut, contra illum quum dicam, attente audiat. Simul illud oro: si meam quum in omni vita, tum in dicendo moderatationem modestiamque cognostis, ne me hodie, quum isti, ut provocavit, respondero, oblitum esse putetis mei. Non tractabo ut consulem: ne ille quidem me ut consularem.² Etsi ille nullo modo consul, vel quod ita vivit, vel quod ita rempublicam gerit, vel quod ita factus est:³ ego sine ulla controversia consularis. Ut igitur⁴ intelligeretis, qualem⁵ ipse se consulem profiteretur, objecit mihi consulatum meum. Qui consulatus, verbo meus, Patres conscripti, re vester fuit. Quid enim ego constitui, quid gessi, quid egi, nisi ex hujus ordinis consilio, auctoritate, sententia? Hæc tu homo sapiens, non solum eloquens, apud eos, quorum consilio sapientiaque gesta sunt, ausus es vituperare? Quis autem, meum consulatum, præter P. Clodium, qui vituperaret, inventus est? Cujus quidem tibi fatum, sicuti C. Curioni, manet: quoniam id domi⁶ tuæ est, quod fuit illorum utrique fatale. Non placet M. Antonio consulatus meus. At placuit P.

12. *Meam gratiam*] He wished, forsooth, that I should have the credit of the thing; whereas on his own shewing, there could be none due even to himself, the law being of Cæsar's enactment.

SECT. V.—1. *Pro me aliquid*] Opposed to 'in M. Antonium multa,' agreeably the remark of Dem. (De Cor. 2.) ὁ φύσει πᾶσιν ὑπάρχει—τοῖς ἐπαινοῦσιν αὐτοὺς ἄχθῆσθαι.

2. *Consulem—consularem*] Cicero intimates that these were relative terms, so that if the consul were wanting in respect to him, it warranted a similar return to the consul.

3. *Factus est*] You are nominated by Cæsar. So inf. 32. 'Jussus est renunciari consul, et quidem cum ipso.'

4. *Ut igitur, &c.*] He is led by the notice of Antony's consulship, to

state the merits of his own.

5. *Qualem*] i. e. A bad one, being the reverse of Cic. himself.

6. *Id domi*] Fulvia, formerly the wife of Clodius, and then of Curio. Curio fell in Africa, fighting on Cæsar's side, in a battle with Sabura, the general of king Juba. How Fulvia caused the death of either does not appear. In the case of Antony, however, there is more truth; for after the battle at Philippi, having to repair to the east to arrange affairs there, he left Fulvia at home. She soon quarrelled with Augustus, and impelled L. Antonius to take arms, setting the example herself, by wearing a sword. Her hatred to Augustus arose from his repudiating her daughter Clodia; besides, she hoped, by causing a rupture with Augustus, to withdraw Antony from the

Servilio,⁷ ut eum primum nomen ex illius temporis consularibus, qui proxime est mortuus: placuit Q. Catulo,⁸ cujus semper in hac republica vivet auctoritas: placuit duobus Lucullis,⁹ M. Crasso,¹⁰ Q. Hortensio,¹¹ C. Curioni,¹² C. Pisoni, M'. Glabrioni, M'. Lepido, L. Volcatio, C. Figulo, D. Silano, L. Murenæ, qui tum erant consules designati: placuit idem, quod consularibus, M. Catoni; qui quum multa, vita excedens,¹³ providit,¹⁴ tum quod te consulem non vidit. Maxime vero consulatum meum Cn. Pompeius¹⁵ probavit; qui, ut me primum decedens ex Syria¹⁶ vidit, complexus et gratulans, meo beneficio patriam se visurum esse dixit. Sed quid singulos commemoro? Frequentissimo senatui sic placuit, ut esset nemo, qui mihi non, ut parenti, gratias ageret; qui non mihi vitam suam, fortunas, liberos, rempublicam referret acceptam.

VI. Sed quoniam illis, quos nominavi, tot et talibus viris respublica orbata est: veniamus ad vivos, qui duo¹ de consularium numero reliqui sunt. L. Cotta, vir summo ingenio summaque prudentia, rebus iis gestis, quas tu reprehendis, supplicationem decrevit verbis amplissimis, eique illi ipsi, quos modo nominavi, consulares, senatusque cunctus assensus est; qui honos post conditam hanc urbem habitus est togato ante me nemini. L. Cæsar,² avunculus tuus, qua oratione, qua constantia, qua gravitate sententiam dixit in sororis suæ virum, vitricum³ tuum! Hunc tu quum auctorem et præcep-

arms of Cleopatra. In this she succeeded, and met him at Sicyon, on his return; but died of grief in consequence of his neglect of her. The story of her cruel triumph over Cicero is better known than worthy of credit. Hooke, x. 15.

7. *P. Servilio*] Manil. 23. n. 7.

8. *Catulo*] Manil. 17. n. 1.

9. *Duobus Lucullis*] Introd. Manil. and Arch.

10. *M. Crasso*] The triumvir, who fell in Parthia. He was consul with Pompey, A. U. 698.

11. *Hortensio*] Manil. 17. n. 2.

12. *C. Curioni*] The elder. He used to call Cicero's consulship ἀπο-θῆσις, Att. i. 16.

13. *Vita excedens*] At Utica. The story is given with suspicious circumstantiality, by Plutarch, in his Life of Cato, c. 67—70.

14. *Providit*] i. e. 'Cavit.' 'Cato, by dying, as well guarded against many evils, as this, that he did not see you a consul.' The negative in the latter clause is redundant; as in Greek, μὴ is added to privative verbs.

15. *Pompeius*] Cat. iv. 10. n. 11.

16. *Decedens ex Syria*] After concluding the Mithrid. war.

SECT. VI.—1. *Qui duo*] These were the only two alive, who were consular men when he was consul.

2. *L. Cæsar*] Phil. i. 11. n. 2.

3. *Vitricum*] Lentulus Sura. Cat.

torem omnium consiliorum totiusque vitæ debuisses habere, vitrici te similem, quam avunculi maluisti. Hujus ego, alienus,⁴ consiliis consul usus sum: tu sororis filius, ecquid ad eum unquam de republica retulisti? At ad quos refert? Dii immortales! ad eos scilicet, quorum nobis etiam dies natales audiendi⁵ sunt. Hodie non descendit⁶ Antonius. Cur? Dat natalicia in hortis. Cui? Neminem nominabo. Putate tum Phormioni alicui, tum Gnathoni, tum etiam Ballioni.⁷ O foeditatem hominis flagitiosam! O impudentiam, nequitiam, libidinem non ferendam! Tu quum principem senatorem, civem singularem, tam propinquum habeas, ad eum de republica nihil referas: ad eos referas, qui suam rem⁸ nullam habent, tuam exhauriunt?

VII. Tuus videlicet salutaris consulatus, perniciosus meus. Adeone pudorem cum pudicitia¹ perdidisti, ut hoc in eo templo dicere ausus sis, in quo ego senatum illum, qui quondam florens orbi terrarum præsidebat, consulebam:² tu homines perditissimos cum gladiis collocavisti?³ At etiam ausus es (quid autem est, quod tu non audeas?) clivum Capitolinum⁴ dicere, me consule, plenum servorum armatorum⁵ fuisse. Ut illa, credo, nefaria senatusconsulta fierent,

iii. 6. n. 9. 'Vitricus' qu. 'vetricus,' i. e. 'patricus;' or, from 'vice patris.'

4. *Alienus*] Opposed to 'sororis filius.'

5. *Natales audiendi*] Are thought of consequence enough to be communicated to us senators. *Heusinger*. Others interpret, 'are celebrated with so much noise as to reach us here.' *V. E.*

6. *Non descendit*] 'The nobles had their mansions situated on hills.' *Manut.* But Antony was now residing in the house of Pompey, which it appears, was in the Carinæ, a very low situation. *Valla* accounts for it thus: 'Descendo in prælium, descendo in forum, descendo in campum dicimus; non quia de loco superiore in inferiorem descendimus, sed quia de loco tuto in locum discriminis, &c.' So *Hor. Carm. iii. 1.* 'hic generosior descendat in campum petitor.' *Græv.* thinks that from the specific it came to have a general meaning, and 'de-

scendo' became as 'prodire.'

7. *Phormioni—Ballioni*] The two former, characters in Terence's comedies; the latter, in the *Pseudolus* of Plautus. Such are Antony's associates! Their real names Cicero does not give. *V. E.*

8. *Suam rem, &c.*] *Manut.* says that he plays on the word *res*. 'Cur ad eos refers de republica, qui suam nullam rem habent, &c.'

SECT. VII.—1. *Pudor.—pudic.*] *Mil. 28. n. 17.*

2. *Senatum — consulebam*] Was consul of, advised with.

3. *In eo templo—collocavisti*] *Inf. 8.* 'Inter subsellia nostra versentur armati.' It was guarded externally, too. *Inf. 44.* 'cur armatorum corona senatus septus est?' *Phil. iii. 12.*

4. *Clivum Capitolinum*] The ascent to the Capitol, called by *Hor. Carm. iv. 2,* 'Clivus sacer.' *Liv. iii. 18.*

5. *Servorum armatorum*] This was contrary to the Roman laws.

vim afferebam senatui. O miser, sive illa tibi nota non sunt, (nihil enim boni nosti,) sive sunt, qui apud tales viros tam impudenter loquare! Quis enim eques Romanus, quis, præter te, adolescens nobilis, quis ullius ordinis, qui se civem meminisset, quum senatus in hoc templo esset, in clivo Capitolino non fuit? quis nomen non dedit? Quamquam⁶ nec scribæ sufficere, nec tabulæ nomina illorum capere potuerunt. Etenim quum⁷ homines nefarii de patriæ parricidio confiterentur, consciorum indiciis, sua manu, voce pæne litterarum coacti, se urbem inflammare, cives trucidare, vastare Italiam, delere rempublicam consensisse; quis esset, qui ad salutem communem defendendam non excitaretur? præsertim quum senatus populusque Romanus haberet ducem, qualis si qui nunc esset, tibi idem, quod illis accidit, contigisset.⁸ Ad sepulturam corpus vitrici⁹ sui negat a me datum. Hoc vero ne P. quidem Clodius dixit unquam. Quem, quia jure ei inimicus fui, doleo a te omnibus vitiis eum esse superatum. Qui autem tibi venit in mentem, redigere in memoriam nostram, te domi P. Lentuli esse educatum? An verebare, ne non putaremus natura te potuisse tam improbum evadere, nisi accessisset etiam disciplina?

VIII. Tam autem eras excors, ut tota in oratione tua tecum ipse pugnares; ut non modo non cohærentia inter se diceres, sed maxime disjuncta atque contraria; ut non tanta mecum, quanta tecum tibi esset contentio! Vitricum tuum fuisse in tanto scelere fatebare, pœna affectum querebare.—Ita, quod proprie meum est, laudasti: quod totum est senatus, reprehendisti. Nam, comprehensio sontium, mea; animadversio, senatus fuit. Homo disertus non intelligit, eum, quem contra dicit, laudari a se; eos, apud quos dicit, vitu-

6. *Quamquam*, &c.] A correction. Mil. 2. n. 18. The construction is 'potuerunt sufficere.' Liv. xxxvi. 35. 'Romani quoad sufficere remiges potuerunt, &c.'

7. *Etenim quum*, &c.] The best construction, perhaps, is: 'Quum nefarii homines, consciorum—coacti, confiterentur de p. par.—nempe se consensisse urbem inflammare, &c.' Ros. A. 41. 'Utrum eam rem recusares, an de maleficio confiterere.'

8. *Accidit, contigisset*] 'Accidit' is generally said of *bad*, 'contigit' of *good* fortune. Again, 'accidit' is said of what happens by mere chance, 'contigit' of what happens from certain, though unforeseen, causes. So Cic. insinuates that what was a mere accident in the case of Catiline, would be a regular consequence of Antony's conduct. Ern., however, would erase one of the verbs.

9. *Vitrici*] Supr. 5. n. 3.

perari. Jam illud cujus est, non dico audaciæ,¹ (cupit enim se audacem:) sed, quod minime vult, stultitiæ, qua vincit omnes, clivi Capitolini mentionem facere, quum inter sub-sellia nostra versentur armati? quum in hac cella Concordiæ, dii immortales! in qua, me consule, salutare sententiæ dic-tæ sunt, quibus ad hanc diem viximus, cum gladiis homines collocati stent?² Accusa senatum; accusa equestrem ordi-nem, qui tum cum senatu copulatus³ fuit; accusa omnes or-diñes, omnes cives, dum confiteare, hunc ordinem, hoc ipso tempore, ab Ityræis⁴ circumsederi. Hæc tu non propter audaciam dicis tam impudenter, sed, qui tantam rerum re-pugnantiam non videas, nihil profecto sapis. Quid est enim dementius, quam, quum reipublicæ perniciosa arma ipse ce-peris,⁵ objicere alteri salutaria? At etiam quodam loco facetus esse voluisti. Quam id te, dii boni, non decebat!⁶ In quo est tua culpa nonnulla. Aliquid enim salis a mima uxore⁷ trahere potuisti. 'Cedant arma togæ.'⁸ Quid? tum nonne cesserunt? At postea tuis armis cessit toga. Quæ-ramus igitur, utrum melius fuerit, libertati populi Romani

SECT. VIII.—1. *Non dico audaciæ*] Vatin. 8. 'Cogitarisne, in illo tuo intolerabili—non regno, (nam cupis id audire) sed latrocinio, augur fieri in Q. Metelli locum.'

2. *Stent*] It is remarked that Cic., 'in rebus atrocibus,' frequently ends his sentences with a monosyllable. Thus Mil. 4. 'Insidiatori quæ potest afferri injusta *nex*? Ligar. 3. 'Ad ea arma profectus sum quæ erant sumpta contra *te*? Vid., also, Ligar. 4. n. 19.

3. *Tum copulatus*] Cat. iv. 7. n. 5. The knights, two years after this junction, claiming exemption from a public engagement which they had entered into with the republic, and being thwarted by some decrees of the consuls, came to an open rupture with the senate.

4. *Ityræis*] The inhabitants of Ityræa, a rough mountainous country on the north-east frontier of Syria and the confines of Arabia. Antony had spent some time in Judæa when he joined Gabinus, and may have at-

tached to himself some of this fierce people. Virgil, Georg. ii. 448, celebrates their archery. 'Ithyraeos taxi torquentur in arcus.'

5. *Arma ipse ceperis*] Appian says they were granted by the senate to protect him from the mob, who were enraged at his slaying the Pseudo-Marius.

6. *Non decebat*] Either as being naturally stupid, or, as being in a passion.

7. *Mima uxore*] Cytheris, who had formerly lived with Volumnius Eutrapelus, and with whom Cicero was acquainted. Fam. ix. 26. That Antony ever married her, as some commentators have thought, is improbable. V. E. Virg. is thought to allude to her Ecl. x.:

— Tua, Galle, Lycoris
Perque nives alium perq; horrida
castra secuta est.

8. *Cedant arma*] The whole verse ran: 'Cedant arma togæ, concedat laurea laudi,' and Cicero merely meant that war was about to give way

sceleratorum arma, an libertatem nostram armis tuis cedere. Nec vero tibi de versibus⁹ plura respondebo; tantum dicam breviter: te neque illos, neque ullas omnino literas nosse: me nec reipublicæ, nec amicis unquam defuisse, et tamen omni genere monumentorum meorum perfecisse operis subsecivis,¹⁰ ut meæ vigiliæ meæque literæ, et juventuti utilitatis, et nomini Romano laudis aliquid afferrent. Sed hæc non hujus temporis: majora videamus.

IX. P. Clodium meo consilio interfectum esse dixisti. Quidnam homines putarent, si tum occisus esset, quum tu illum in foro, inspectante populo Romano, gladio stricto insecutus es, negotiumque transegisses, nisi se ille in scalas¹ tabernæ² librariæ conjecisset, iisque oppilatis³ impetum tuum compressisset? Quod quidem ego fuisse me tibi fateor, suasisse ne tu quidem dicis. At Miloni ne favere quidem potui. Prius enim rem transegit, quam quisquam eum facturum id suspicaretur. At ego suasi. Scilicet is animus erat Milonis, ut prodesse reipublicæ sine suasore non posset! At lætatus sum. Quid ergo? in tanta lætitia⁴ cunctæ civitatis me unum tristem esse oportebat? Quamquam⁵ de morte P. Clodii fuit quæstio non satis prudenter illa quidem constituta. Quid enim attinebat nova lege quæri de eo, qui

to peace. Others, however, understood it to mean that the highest military commander, e. g. Pompey, should yield the laurel to Cicero's civic gown. Pis. 30.

9. *Nec—de versibus plura respondebo*] Whether Antony's wit was directed against particular verses of the composition of Cicero, or against such employment of his time in general, does not exactly appear. Cicero finds it convenient to understand Antony in the latter sense, as reproaching him with the misapplication of his time. *V.E.* Cic. wrote a poetical work on Cæsar's wars; and at the age of sixty used to compose five hundred verses a day.

10. *Subsecivis*] 'Sub—seco,' to cut away. Hence 'subsecivum tempus,' time cut off from the day, for recreation; spare time—and 'sub-

seciva opera,' works performed during that time. It is said to be taken from the division of land, being applied to any surplus which did not fall into the regular measurement.

SECT. IX.—1. *Scalas*] A staircase. We may suppose it an outer structure, under which there was room for concealment and means of defence. Hor. Ep. ii. 2. 15.

2. *Tabernæ*] i. e. 'Locus clausus tabulis.' 'Nulla taberna meos habeat neque pila libellos.' Hor. Sat. i. 4. 71.

3. *Oppilatis*] 'Ob—pila,' a pile. Hence to pile against, to barricade.

4. *In tanta lætitia*] Compare here, Æschines's charge against Demosthenes, (c. 29), for omitting the due mourning for his daughter; also, Dem. de Cor. 88.

5. *Quamquam*, &c.] Mil. 2. n. 18.

hominem occidisset, quum esset legibus⁶ quæstio constituta? Quæsitum est tamen. Quod igitur,⁷ quum res agebatur, nemo in me dixit, id tot annis post tu es inventus qui diceres?

Quod vero dicere ausus es, idque multis verbis, opera mea Pompeium a Cæsaris amicitia esse diiunctum, ob eamque causam culpa mea civile bellum esse natum; in eo non tu quidem tota re, sed, quod maximum est, temporibus errasti.

X. Ego M. Bibulo,¹ præstantissimo civi, consule, nihil prætermisi, quantum facere enitque potui, quin Pompeium a Cæsaris conjunctione avocarem. In quo Cæsar felicior fuit; ipse enim Pompeium a mea familiaritate diiunxit. Postea vero,² quam se totum Pompeius Cæsari tradidit; quid ego illum ab eo distrahere conarer? Stulti erat sperare; suadere impudentis. Duo tamen tempora inciderunt, quibus aliquid contra Cæsarem Pompeio suaserim. Ea velim reprehendas, si potes: unum, ne quinquennii imperium³ Cæ-

The suppressed proposition is—‘If all, as you say, rejoiced at the death of Clodius, why was Milo condemned?’ It was owing to the special commission appointed, not by the senate, but by Pompey.

6. *Legibus*] Scil. the Cornelian law, ‘de sicariis,’ &c.

7. *Quod, igitur, &c.*] Cic. contradicts this, Mil. 18. His words there are ‘Scitis, Iudices, fuisse, qui in hac rogatione saudenda dicerent, Milonis manu cædem esse factam, consilio vero majoris alicujus.’ Perhaps no one expressly named him—perhaps he forgot his former assertion.

SECT. X.—1. *Bibulo*] Consul with Cæsar, A. U. 694. Being a friend of the ‘optimates,’ he opposed the popular measures of his colleague, particularly an Agrarian law for distributing the lands of Campania to 20,000 poor citizens, who had each three children or more. Planc. 5. Att. ii. 16—19. Not being able to carry this through the senate, Cæsar referred it to the people, but was opposed

by Bibulus, who declared every assembly-day *holy* to the end of the year, and withdrew from all public business for eight months, except the reiteration of his declaration (obnuntiatio.) Hence the wits of that time said that the acts were signed *Julio et Cæsare Coss.*, and the verses are well known:

‘Non Bibulo quidquam nuper, sed Cæsare factum est;
Nam Bibulo fieri consule nil me-
mini.’

During this time Cæsar had the address to secure the neutrality of Pompey.

2. *Postea vero*] i. e. When the first triumvirate was fully formed, A. U. 693, and Pompey, on marrying Julia, had made the calls of ambition secondary to those of love.

3. *Quinquennii imperii*] The senate, on the expiration of Cæsar’s consulship, voted him the charge of the woods and roads as a province. The people, however, on the motion of Vatinius, gave him Cisal. Gaul

sari prorogaret:⁴ alterum,⁵ ne pateretur ferri, ut absentis ejus ratio haberetur. Quorum si utrumvis persuasissem, in has miseras nunquam incidissemus. Atque idem ego, quum jam⁶ opes omnes et suas, et populi Romani, Pompeius ad Cæsarem detulisset, seroque⁷ ea sentire cœpisset, quæ ego multo ante provideram, inferrique patriæ bellum nefarium viderem; pacis, concordiæ, compositionis auctor esse non destiti, meaque illa vox est nota multis: ‘Utinam, Cn. Pompei, cum C. Cæsare societatem aut nunquam coisses, aut nunquam diremisses! fuit alterum gravitatis, alterum prudentiæ tuæ.’ Hæc mea, M. Antoni, semper et de Pompeio, et de republica consilia fuerunt: quæ si valuissent, respublica staret, tu tuis flagitiis, egestate, infamia concidisses.

and Illyricum for *five years*; and Transalp. Gaul, having by the death of Metellus Celer, become vacant, it was added by the senate, to prevent a fresh application to the people.

4. *Unum—prorogaret*] Cæsar set out for his province in 695, leaving the command of the city to Pompey and Crassus. In 697 he wintered in Lucca, after three glorious campaigns, and was visited there by Pompey and Crassus, whom he advised to sue for the consulship the following year. They succeeded of course, and Trebonius, a tribune, having promulgated a law, that the consular provinces should be held for five years, with the power of raising what forces the proconsuls should think proper, Pompey further enacted, that Cæsar should have five years added to his command in Gaul, though there were then two of the former five remaining. This then is the *first time* intended by Cic. *l. v. 698*. Yet Cic. expressly opposed the recall of Cæsar in 697. *Prov. Cons. 8*.

5. *Alterum*] When the consulship of Crassus and Pompey expired, Syria was assigned to Crassus as his province; to Pompey Spain. Pompey, however, having previously obtained, through means of Cic., a five years’

command over the public stores and rents of the empire, remained at Rome, governing Spain by his lieutenants. The public disturbances connected with Milo, caused him to be chosen sole consul, *l. v. 701*; and to reconcile Cæsar to this extraordinary assumption of power, he proposed a law that Cæsar should be permitted to stand for the consulship without appearing in person. Yet Cic. *Att. vii. 1*, writes ‘ut illi hoc liceret adjuvi, rogatus ab ipso Ravennæ de Cælio tribuno plebis.’ This is the *second time*.

6. *Quam jam, &c.*] Namely, from 701, when Pompey, as sole consul, passed the decree in favour of Cæsar. Julia was yet living, and perhaps now the sole cement between these ambitious men.

7. *Seroque*] In the year 702, after Julia’s death, it was first moved in the senate to recall Cæsar, when two years of his command were still remaining. Towards the end of this year, an act was passed to consider the case of the consular provinces in the following March; longer than which, Pompey now first declared, that Cæsar should not continue in Gaul. This then appears to be the time here meant by Cicero.

XI. Sed hæc vetera:¹ illud vero recens, Cæsarem meo consilio interfectum.² Jam vereor, Patres conscripti, ne, quod turpissimum est, prævaricatorem³ mihi apposuisse videar, qui me non solum meis laudibus ornaret, sed etiam oneraret alienis. Quis enim meum in istius gloriosissimi facti conscientia⁴ nomen audivit? Cujus autem, qui in eo numero fuisset, nomen est occultatum? occultatum dico? cujus non statim divulgatum? Citius dixerim, jactasse se aliquos,⁵ ut fuisse in ea societate viderentur, quum consciï⁶ non fuissent, quam ut quisquam celari vellet, qui fuisset. Quam veri simile porro est, in tot hominibus, partim obscuris, partim adolescentibus neminem occultantibus, meum nomen latere potuisse? Etenim si auctores ad liberandam patriam desiderarentur illis auctoribus, Brutos ego impellerem, quorum uterque L. Bruti imaginem⁷ quotidie videret, alter⁸ etiam Ahalæ. Hi igitur his majoribus, ab alienis

SECT. XI.—1. *Hæc vetera*] We must suppose Cicero to have followed the order of Antony's objections, else he should have treated of Pompey's camp before—the death of Cæsar.

2. *Cæsarem meo consilio interfectum*] Antony had placed a statue in the Rostra, inscribed 'Parenti optime merenti' 'ut,' as Cicero adds, 'non modo sicarii sed jam etiam parricidæ judicemini.'

3. *Prævaricatorem*] This word, like 'delirus' and some others, is borrowed from husbandry, which was always in great repute at Rome. Thus Pliny, 'Arator nisi incurvus prævaricatur.' 'Prævaricor,' then is 'valde varico, rectam lineam prægredior.' The ploughman goes as it were in two furrows, or from one to the other. The transition is easy, to the lawyer who takes a fee from both the parties. Here it means that Cic. employed Antony as a sham-accuser, to bring charges, which, at the expense of others, would redound to his credit.

4. *Quis—conscientia*] Al. *societate*. Who among those who were privy to this noble design. *V. E.*

5. *Jactasse se aliquos*] He alludes, among others, to C. Octavius and

Lentulus Spinther, who, according to Plutarch, hurried to the capitol among the conspirators, and claimed a share of the glory. Antony and Augustus acknowledged their claim by putting them to death. Spinther, however, (Fam. xii. 14.) asserts his share in it.

6. *Consciï*] Al. *socii*.

7. *Imaginem*] The 'imago' was generally formed of wax, but it is also taken to stand for the pictures of a family; the 'statua' was of more durable materials, as wood, stone, or brass. The waxen 'images,' again, were kept in chests in the 'atrium;' and produced only on the days of public procession or private festivity; the pictures were suspended in the same place, and were always exposed to view. The 'statuæ' were placed in the vestibule, and were only those of the leading and distinguished men of the family, or its living representative; while the 'images' were of all.

8. *Alter*] Marcus Brutus was the son of Servilia, a descendant of Servilius Ahala, who put to death Sp. Mælius.

9. *Ahalæ*] This shews that women

potius consilium peterent, quam a suis? et foris potius, quam domo? Quid? C. Cassius,¹⁰ in ea familia natus, quæ non modo dominatum, sed ne potentiam quidem cujusquam ferre potuit, me auctorem, credo, desideravit: qui etiam sine his clarissimis viris hanc rem in Cilicia ad ostium fluminis Cydni confecisset,¹¹ si ille ad eam ripam, quam constituerat, non ad contrariam, naves appulisset. Cn. Domitium non patris interitus,¹² clarissimi viri, non avunculi¹³ mors, non spoliatio dignitatis, ad recuperandam libertatem, sed mea auctoritas excitavit? An C. Trebonio¹⁴ ego persuasi? cui ne suadere quidem ausus essem. Quo etiam majorem ei respublica gratiam debet, qui libertatem populi Romani unius amicitiae præposuit, depulsorque dominatus quam particeps esse maluit. An L. Tillius Cimber me est auctorem secutus? quem

brought 'images' into the families they married into.

10. *C. Cassius*] There is nothing in Livy, (ii. 14.) to which the expression of Cic. about Cassius can be supposed to allude. He shews, indeed, that Sp. Cassius became a popular consul, by proposing an Agrarian law and a largess to the people; and that he was condemned for affecting royalty; and to this fact Cic. often alludes. What follows about his father putting him to death, Livy gives as a report, but discredits it. Dionysius Halicar. (lib. viii.) mentions the same report, but thinks it improbable, because his property was confiscated and his house thrown down, which could not have been the case, if his father had put him to death; the very right by which he took away the life of his son, securing him the command over his property. As it is probable, then, that Cicero does not allude to this dubious account of C. Cassius putting his son to death, perhaps he may refer to the ambitious spirit of S. Cassius, who, in affecting sovereignty, might be said 'ne potentiam quidem cujusquam ferre posse.' Cat. i. 10. n. 4.

11. *Hanc rem—confecisset*] Of this design of Cassius, no other trace appears. Suetonius, Jul. 63, and Ap-

pian, ii, state that he surrendered to Cæsar after the battle of Pharsalia, and sued for pardon. Possibly a previous design to surprise Cæsar may have failed. *V. E.*

12. *Patris interitus*] L. Domitius Ahenobarbus, who was slain by Antony at Pharsalia. He had been taken prisoner at Corfinium in the beginning of the war, and released; but he afterwards joined Pompey. Sueton., (Vit. Ner. 3, which emperor was descended from him,) says that he was falsely charged with this conspiracy, in consequence of which he joined Brutus and Cassius, and having obtained the command of the fleet, by surrendering it to Antony, he made his peace with the Triumvirs, and afterwards rose to great honours in the state.

13. *Avunculi*] Cato of Utica, whose sister was the mother of Domitius. Servilia, the mother of Brutus, was another sister.

14. *C. Trebonio*] This man was always a distinguished supporter of Cæsar. By his law Cæsar's command was prorogued for five years, and he served under him, as lieutenant at Massilia. This accounts for Cicero's reasoning. He was treacherously put to death by Dolabella, at

ego magis fecisse illam rem sum admiratus, quam facturum putavi.¹⁵ Admiratus sum autem ob eam causam, quod immemor beneficiorum, memor patriæ fuisset. Quid duos Servilios?¹⁶ Cascas dicam, an Ahalas? et hos auctoritate mea censes excitatos potius, quam caritate reipublicæ? Longum est persequi ceteros:¹⁷ idque reipublicæ præclarum, fuisse tam multos; ipsis gloriosum.

XII. At quemadmodum me coarguerit homo acutus, recordamini. Cæsare interfecto, inquit, statim cruentum alte extollens M. Brutus pugionem,¹ Ciceronem nominatim exclamavit,² atque ei recuperatam libertatem est gratulatus. Cur mihi potissimum? Quia sciebam? Vide ne illa causa fuerit appellandi mei, quod, quum rem gessisset consimilem rebus iis, quas ipse gesseram,³ me potissimum testatus est, se æmulum mearum laudum exstitisse. Tu autem, omnium stultissime, non intelligis, si id, quod me arguis, voluisse interfici Cæsarem, crimen sit; etiam, lætatum esse morte Cæsaris, crimen esse? Quid enim interest inter suasorem facti et probatorem? aut quid refert, utrum voluerim fieri an gaudeam factum? Ecquis est igitur, te excepto, et iis, qui illum regnare gaudebant, qui illud aut fieri noluerit, aut factum improbarit? Omnes ergo in culpa. Etenim omnes boni, quantum in ipsis fuit, Cæsarem occiderunt. Aliis consilium, aliis ani-

Smyrna, in Asia, where he was supporting the republican cause.

15. *Quem—putavi*] As Cimber was a drunkard, it seemed improbable that Brutus and Cassius would take him into their confidence. Seneca de Ira, 83; or Cicero may refer merely to Cimber's having been ever previously a staunch adherent of Cæsar. V. E.

16. *Quid duos Servilios*] There were two brothers of the 'gens Servilia,' who had the cognomen of Casca, present at Cæsar's assassination. One of them, according to Plutarch, (Cæs. 66,) gave the first blow, and called on his brother to assist. So Shakesp. 'See what a rent the envious Casca made!' Cic. thinks that their cognomen should rather be *Ahalæ*, from their imitating the example of the old Ahalæ. Transl. How shall I

address the two Servilii? shall I call them Cascæ, (their real name,) or Ahalæ, (the name they deserve.)

17. *Ceteros*] There were upwards of sixty in all. Sueton. Jul. 80. Supr. 3. n. 7.

SECT. XII.—1. *Pugionem*] From 'pungo.' It was often used metaphorically. Thus, Caligula called his proscription-book 'pugio.'

2. *M. Brutus—exclamavit*] Dio says that the whole conspirators joined in the shout. Perhaps their reason for appealing to Cic. was, that he was a consular man, and known to be devoted to the Pompeian cause. Perhaps his own reason is the true one.

3. *Rem gessisset consimilem—gesseram*] That his conduct in this deed resembled mine during my consulate, when I also deprived of life the con-

mus, aliis occasio defuit: voluntas nemini. Sed stuporem⁴ hominis, vel dicam pecudis, attendite. Sic enim dixit: 'M. Brutus, quem ego honoris causa⁵ nomino, cruentum pugionem tenens, Ciceronem exclamavit: ex quo intelligi debet, eum conscium fuisse.' Ergo ego sceleratus appellor a te, quem tu suspicatum aliquid suspicaris: ille, qui stillantem præ se pugionem tulit, is a te honoris causa nominatur? Esto: sit in verbis tuis hic stupor: quanto in rebus sententiisque major? Constitue hoc, consul, aliquando: Brutorum, C. Cassii, Cn. Domitii, C. Trebonii, reliquorum, quam velis esse causam: edormi crapulam,⁶ inquam, et exhalare. An faces⁷ admovendæ sunt, quæ te excitent, tantæ causæ indormientem? Nunquamne intelliges, statuendum tibi esse, utrum illi, qui istam rem gesserunt, homicidæne sint, an vindices libertatis?

XIII. Attende enim paullisper, cogitationemque sobrii hominis punctum temporis suscipe. Ego, qui sum illorum, ut ipse fateor, familiaris;¹ ut a te arguor, socius, nego quidquam esse medium: confiteor eos, nisi liberatores populi Romani conservatoresque reipublicæ sint, plus quam sicarios, plus quam homicidas, plus etiam quam parricidas esse; siquidem est atrocius patriæ parentem, quam suum occidere. Tu, homo sapiens et considerate, quid dicis? Si parricidæ, cur honoris causa a te sunt et in hoc ordine et apud populum Romanum semper appellati? Cur M. Brutus, te referente, legibus est solutus,² si ab urbe plus quam decem dies abfuisset? cur ludi Apollinares³ incredibili M.

spirators against their country. V. E.

4. *Stuporem*] Cic. here convicts Antony of stupidity: 1. By his language, because he honours Brutus for what he abuses him. 2. By his conduct and opinions, who did not see that there was no mean between patriots and parricides.

5. *Honoris causa*] A phrase of polite address, which meant no more than 'respectfully' or the like.

6. *Crapulam*] i. e. *Κραιπάλη*, qu. *πάλλειν τὸ κῆρα*, 'caput tremiscere.' Plaut. Rud. ii. 7. 28. 'Abeo hinc, ut edormiscam hanc crapulam.' Terent. Adelph. says 'hoc villi, i. e. vini.'

7. *Faces*] It appears that these were applied by the Romans to rouse the stupid or lethargic. Delph. 'Indiges baculo vel fuste ut exciteris.'

SECT. XIII.—1. *Familiaris*] In consuetudine vitæ.

2. *Legibus est solutus*] Introd. 6.

3. *Ludi Apollin.*] Liv. xxv. 12. These games were established in the second Punic war, on occasion of a victory; and a pestilence occurring, they were made annual, and celebrated the fifth of July. This two-fold origin is noticed by Hor. Carm. i. 24. 'Hic bellum lacrymosum, hic miseram famem, Pestemque a populo, &c.' Phil. i. 15.

Bruti honore celebrati?⁴ cur provinciæ Bruto et Cassio datæ?⁵ cur quæstores additi? cur legatorum numerus auctus? Atque hæc acta per te. Non igitur homicidæ. Sequitur, ut liberatores tuo iudicio sint: quandoquidem tertium nihil potest esse. Quid est? num conturbo te? Non enim fortasse satis, quæ diiunctius⁶ dicuntur, intelligis. Sed tamen hæc summa est conclusionis meæ: quoniam scelere a te liberati sunt, ab eodem te amplissimis præmiis dignissimos iudicatos. Itaque jam retexo⁷ orationem meam. Scribam ad illos,⁸ ut, si qui forte, quod a te mihi objectum est, quærent, sitne verum, ne cui negent. Etenim vereor, ne⁹ aut celatum me, illis ipsis non honestum; aut invitatum refugisse, mihi sit turpissimum. Quæ enim res unquam, (pro sancte Jupiter!) non modo in hac urbe, sed in omnibus terris est gesta major? quæ gloriosior? quæ commendatior hominum memoriæ sempiternæ? In hujus me tu consilii societatem tamquam in equum Trojanum¹⁰ cum principibus includis? Non recuso: ago etiam gratias, quoquo animo facis.¹¹ Tanta enim res est, ut invidiam istam, quam tu in me vis concitare, cum laude non comparem. Quid enim beatius illis, quos tu expulsos a te prædicas et relegatos?

4. *Celebrati*] C. Antonius acted for Brutus on this occasion. It appears, from Cicero's letters to Atticus, that Brutus, who was then at Lanuvium, took great pains to supply him with every requisite that could secure their magnificence. He had intended, at one time to attend them in person, and had an address to the people prepared, but Cicero did not advise it. Phil. 1. 15. n. 5.

5. *Cur provinciæ Cassio et Bruto datæ*] To Brutus Macedonia, and to Cassius Syria. The adding of quæstores was a mark of respect and recognition of them as legal governors. So of 'Legatorum numerus auctus.'

6. *Dijunctius*] Al. *distinctius*.—Too widely, or, in too *disjunctive* a form; for Cicero's argument was stated disjunctively, and Antony was no great logician.

7. *Retexo*] It was usual in Greek to say *μῦθους ὑφαίνειν*, and in Latin, 'orationem texere.' Hence *retexere*,

'to unweave,' in order to make a better web; hence to change a line of argument,' as here.

8. *Ad illos*] Brutus and Cassius.

9. *Vereor, ne, &c.*] The construction is: 'me celatum [esse] illis non sit honestum; aut [me] invitatum refugisse, mihi sit turpissimum.' Introd. 2. 'Celari de aliqua re,' to be told nothing about a thing, to be kept in the dark. Fam. v. 2. 'Te maximis de rebus a fratre esse celatum.' Agr. ii. 5.

10. *In equum Trojanum*] A species of proverb, perhaps from Æn. ii. 18:

Huc *delecta* virum sortiti corpora furtim

Includunt lateri.

Or rather from Odys. iv. 272:

Ἰππῶ ἐνι ξυστῶ Ἴν' ἐνήμεθα πάντες ἄριστοι Ἀργείων.

This comes up to 'cum principibus.'

11. *Quoquo animo facis*] Cicero explains this intention. Fam. xii. 2. 'Nullam aliam ob causam, me auctorem fuisse Cæsaris interficiendi crimi-

qui locus est aut tam desertus,¹² aut tam inhumanus, qui illos, quoquo¹³ accesserint, non affari atque appetere videatur? qui homines tam agrestes, qui se, quum eos adspexerint, non maximum cepisse vitæ fructum putent? quæ vero tam immemor posteritas, quæ tam ingratae literæ¹⁴ reperientur, quæ eorum gloriam non immortalitatis memoria prosequantur? Tu vero adscribe me talem in numerum.

XIV. Sed unam rem vereor, ne non probes. Si enim fuissem, non solum regem,¹ sed regnum etiam de republica sustulissem: et, si meus stilus² ille fuisset, ut dicitur, mihi crede, non solum unum actum,³ sed totam fabulam confecissem.⁴ Quamquam si interfici Cæsarem⁵ voluisse crimen est, vide, quæso, Antoni, quid tibi futurum sit, quem et Narbone hoc consilium cum C. Trebonio cepisse notissimum est, et ob ejus consilii societatem, quum interficeretur Cæsar, tum te a Trebonio vidimus sevocari. Ego autem (vide quam tecum agam non inimice) quod bene cogitasti aliquando, laudo: quod non indicasti, gratias ago: quod non fecisti, ignosco. Virum res illa quærebat. Quod si te in judicium

natur, nisi ut in me veterani incitentur.'

12. *Locus—desertus*] It is a strong personification, to make a *place* address and desire the presence of a person. Cic. heightens this, by making the place *deserted, without human intercourse, &c.*

13. *Quoq.*] Whithersoever. *Al. quo.*

14. *Literæ*] Cic. uses the genus, comprising under it, poetry, oratory, and history; all which assist in conferring immortality.

SECT. XIV—1 *Non solum regem, &c.*] *Fam. xii. 1.* 'Non regno, sed rege liberati videmur.' *Att. xiv. 8.* 'O Dii boni! vivit tyrannis: tyrannus occidit.'

2. *Stilus*] 1. an obelisk or column, *στύλος*; 2. a sharp-pointed instrument, a dagger, a pen; 3. a style of writing. We cannot preserve the *paronomasia* of Cicero, having no word that signifies a pen and a poniard.—Those who limit the interpretation to either one or other appear to miss the force.

3. *Unum actum*] *Abram.* makes

the 'fabula,' the deliverance of their country; Cic., the poet; 'stilus,' the conspiracy; one act, the death of Cæsar; the other four acts, the deaths of Lepidus and the three Antonies.—*Manut.* supposes the death of Antony the fifth act, but does not specify the preceding four. It is enough to understand it generally. 'He would have added the last act to the play, by despatching others.' *Marcel. 9.* 'Hic restat actus.' *Fam. x. 28.*—'Quam vellem ad illas pulcherrimas epulas me invitasses! reliquiarum nihil haberemus.' Here, however, the figure is changed.

4. *Confecissem*] This verb, in the sense of to despatch, is properly applied to stabbing wild beasts in the amphitheatre.

5. *Quamquam si interfici Cæsarem, &c.*] *Plutarch, Brut. 17,* makes it appear that Trebonius, being the military comrade of Antony at Narbo, where Cæsar had halted in his return from Spain, had sounded him on the project of slaying Cæsar; and that

quis adducat, usurpetque illud Cassianum,⁶ 'Cui bono⁷ fuerit;' vide, quæso, ne hæreas.⁸ Quamquam illud quidem fuit, ut tu dicebas, omnibus bono, qui servire nolebant: tibi tamen præcipue, qui non modo non servis, sed etiam regnas; qui maximo te ære alieno ad ædem Opis⁹ liberasti: qui per easdem¹⁰ tabulas innumerabilem pecuniam dissipavisti; ad quem e domo Cæsaris¹¹ tam multa delata sunt; cujus domi quæstuosissima est falsorum commentariorum et chirographorum officina, agrorum, oppidorum, immunitatum, vectigalium flagitiosissimæ nundinæ.¹² Etenim quæ res egestati et æri alieno tuo, præter mortem Cæsaris, subvenire potuisset?—Nescio quid¹³ conturbatus esse videris: numquid subtimes, ne ad te hoc crimen pertinere videatur? Liberò te metu: nemo credet unquam; non est tuum de republica bene mereri; habet istius pulcherrimi facti clarissimos viros respublica auctores: ego te tantum gaudere dico, fecisse non arguo. Respondi maximis criminibus: nunc etiam reliquis respondendum est.

Antony, though aware of his drift, yet did not disclose the secret; that, therefore, Trebonius, through gratitude, took him aside that he might not share the fate of Cæsar. In another place, however, (Cæs. 66,) he says that it was Decimus Brutus who drew Antony aside. But Cic., Fam. x. 28, attributes the act to Trebonius, as here; without, however, charging Antony with being privy to it. Trebonius was, probably, now dead.

6. *Cassianum*] Mil. 12. n. 4. 5.

7. *Cui bono*] 'Whose interest;' the double dative.

8. *Ne hæreas*] Because you had all the advantage—the conspirators all the loss.

9. *Ædem opis*] This goddess variously named, Ops, Tellus, Cybele, the Great Mother, the Idæan Mother, and the Mother of the Gods, had temples dedicated to her in various parts of the city. The temple here specified is thought to have been in the Capitol, if we are not to understand the temple adjoining the treasury, dedicated to Saturn and Ops. Here the sense

requires 'ad ædem Opis' to mean 'tabulis ad ædem Opis;' for by them he paid his debts. Hence 'easdem,' inf.

10. *Per easdem*, &c.] As 'tabulæ' had not been mentioned before, 'easdem' must refer to 'ædem opis,' the depository of the 'tabulæ.' The money was squandered by Antony's forging assignments of the different sums to his own creatures. Phil. v. 4. 'Septies millies falsis perscriptionibus, &c. avertit.'

11. *Domo Cæsaris*] Vid. Phil. i. 7. n. 3, where the particulars here alluded to are noticed. Calpurnia had conveyed to the house of Antony, for safety, the papers and treasures of Cæsar, which Antony kept possession of and converted to his own purposes.

12. *Nundinæ*] Qu. 'novendinæ,' from 'novem' and 'dies,' properly, the market-day, or day on which the country people flocked to Rome. It occurred every *nine days*, reckoning inclusively. It is here put for the market or sale itself. Phil. v. 4.

13. *Nescio quid*] 'At something or other;' not 'somewhat.'

XV. *Castra*¹ mihi Pompeii, atque illud omne tempus objecisti. Quo quidem tempore si, ut dixi,² meum consilium auctoritasque valuisset; tu hodie egeres, nos liberi essemus; respublica non tot duces³ et exercitus⁴ amisisset. Fateor enim, me, quum ea, quæ acciderunt, providerem⁵ futura, tanta in mœstitia fuisse, quanta ceteri optimi cives, si idem providissent, fuissent. Dolebam,⁶ dolebam, Patres conscripti, rempublicam, vestris quondam meisque consiliis conservatam, brevi tempore esse perituram. Nec vero eram tam indoctus ignarusque rerum, ut frangerer animo propter vitæ cupiditatem, quæ me manens conficeret angoribus, dimissa molestiis omnibus liberaret. Illos ego præstantissimos viros, lumina reipublicæ, vivere volebam, tot consulares, tot prætorios, tot honestissimos senatores, omnem præterea florem⁷ nobilitatis ac juventutis, tum optimorum civium exercitus: qui si viverent, quamvis iniqua conditione pacis, (mihi enim omnis pax cum civibus bello civili utilior⁸ videbatur,) rempublicam hodie teneremus. Quæ sententia si valuisset,⁹ ac non ii maxime¹⁰ mihi, quorum ego vitæ consulebam, spe victoriæ elati,¹¹ obstitissent: ut alia omittam, tu certe nun-

SECT. XV.—1. *Castra, &c.*] The objection of Antony was, not that Cic. was a Pompeian; but that he prevented a reconciliation between the leaders, and conducted himself in a manner unbecoming a consular man. This he here answers.

2. *Si, ut dixi*] Supr. 10. 'Hæc mea, M. Antoni, semper et de Pompeio et de republica consilia fuerunt: quæ, &c.'

3. *Non tot duces*] Pompey, Scipio, Cato, Petreius, Afranius, &c.

4. *Exercitus*] These are often alluded to. The principal were at Pharsalia, Thapsus, and Munda; and their commanders, Pompey, Scipio, and the sons of Pompey.

5. *Providerem*] His letters are full of prophecies on this subject, for which some historians give him little credit. Hooke. x. l. n. q.

6. *Dolebam*] The ideas are natural here. Cic. had a peculiar regard for the republic, because he had saved it from Catiline. So people are doubly

fond of what they have rescued from, or recovered after, some great danger; and he takes care to add, that it was no unmanly love of life that actuated him in his grief.

7. *Florem*] Because almost all the young patricians followed Pompey, and were in his camp. Hence the story of Cæsar's artifice in the battle of Pharsalia, to strike at their faces. Plut. Cæs. 45.

8. *Pax—bello civili utilior*] So Hom. ix. 63:

Ἀφρήτωρ, ἀθέμιστος, ἀνέστιος ἐστὶν
ἐκέῖνος,
Ὅς πολέμου ἔραται ἐπιδημίου, ὀκνέ-
εντος.

9. *Sententia valuisset*] He means his proposition, that Pompey should come into Cæsar's terms; which were, that Pompey should proceed to Spain, his province, and both disband their armies. Fam. xvi. 12.

10. *Ii maxime*] Cn. Domitius, C. Lentulus, &c., the Pompeian leaders.

11. *Spe victoriæ elati*] Cæsar well

quam¹² in hoc ordine, vel potius nunquam in hac urbe mansisses. At vero Cn. Pompeii voluntatem a me alienabat oratio¹³ mea. An ille quemquam plus dilexit? cum ullo aut sermones, aut consilia contulit sæpius? Quod quidem erat magnum, de summa republica dissentientes in eadem consuetudine amicitiae permanere. Sed et ego, quid ille, et contra ille, quid ego sentirem et spectarem, videbat. Ego incolumitati civium primum, ut postea dignitati possemus; ille præsentī dignitati plus consulebat. Quod autem habebat uterque quid sequeretur, idcirco tolerabilior erat nostra dissensio. Quid vero ille singularis vir ac pæne divinus de me senserit, sciunt, qui¹⁴ eum de Pharsalica fuga Paphum¹⁵ persecuti sunt. Nunquam ab eo mentio de me, nisi honorifica, nisi plena amicissimi desiderii, quum me vidisse plus fateretur, se speravisse meliora. Et ejus viri nomine me insectari audes, cujus me amicum, te sectorem¹⁶ esse fateare?

XVI. Sed omittatur bellum illud, in quo tu nimium felix fuisti. Ne jocis quidem¹ respondebo, quibus me in castris usum esse dixisti. Erant quidem illa castra plena curæ:² verumtamen homines, quamvis in turbidis rebus sint, tamen, si modo homines sunt, interdum animis relaxantur. Quod autem idem mœstitiam³ meam reprehendit, idem

says of them (B. C. iii.) 'Nec quibus rationibus superare possunt, sed quemadmodum uti victoria deberent, cogitabant.'

12. *Tu certe nunquam, &c.*] A species of Litotes, by which he intimated that Antony would have suffered death or exile for his crimes.

13. *At vero—oratio*] Macrobius and Plutarch have transmitted to us a few of Cicero's splenetic remarks on this occasion; but it does not appear necessary to transcribe them.

14. *Sciunt, qui*] He means Favonius, the Lentuli, &c. Plutarch, Pomp. 76, says that he had a few ships and about sixty senators collected to him.

15. *Paphum*] Pompey hastened first to Lesbos, where he met Cornelia, and thence to Paphus.

16. *Sectorem*] 'Sectio' is, 1. a purchase; 2. a sale, particularly of proscribed property. It has the first meaning from 'sequi,' i. e. 'a lucro sequendo;' the second from 'secare,' because the 'sectores' retailed the property. Perhaps this account may reconcile Ascon. and the commentators about the derivation of this word.

SECT. XVI.—1. *Ne jocis quidem*] These may be found in Plutarch, Middleton, or Hooke.

2. *Castra plena curæ*] i. e. To Cic. and the thinking men; for, generally speaking, the Pompeians were only solicitous about revenge and booty.

3. *Quod autem idem mœstitiam*] Sc. in the words, Sup. 15. 'At vero Cn. Pompeii voluntatem a me alienabat oratio mea.'

jocum; magno argumento est, me in utroque fuisse moderatum.⁴

Hereditates⁵ mihi negasti venire. Utinam hoc tuum verum crimen esset! plures amici mei et necessarii viverent. Sed qui istuc tibi venit in mentem? Ego enim amplius HS. ducenties⁶ acceptum hereditatibus retuli. Quamquam in hoc genere fateor feliciorem esse te. Me nemo, nisi amicus, fecit heredem, ut cum illo commodo, si quod erat, animi quidam dolor jungeretur: te is, quem tu vidisti nunquam, L. Rubrius Casinas,⁷ fecit heredem. Et quidem vide, quam te amarit is, qui,⁸ albus aterne⁹ fueris, ignorans, fratris filium præteriit, Q. Fufii, honestissimi equitis Romani,¹⁰ suique

4. *Fuisse moderatum*] So Hor. Epis. i. 18. 'Virtus est medium viti-
orum et utrumque reductum.'

5. *Hereditates*, &c.] This was considered a great ignominy among the Romans. For Nigrinus, in Lucian, wittily observes, 'that the Romans uttered only one true word in their lives—sc. that which is contained in their wills.' Augustus, who was vain of being so noticed by his friends, used to refund the amount of the bequest to the lawful heirs, to obviate the suspicion of avarice. Suet. Aug. 66. Cic. had made the very same charge against Clodius. Att. i. 15.

6. *HS. ducenties*] In two instances, Atticus is acquainted by Cicero of legacies left him. Att. ii. 20. xi. 2.—HS. a contraction for L. L. S. i. e. 'libra, libra, semis,' or two pounds and a half of brass, the fourth of a denarius. Note, 1. With a numeral adverb, HS. is 'sestertiūm,' 'centena millia' being understood. A short rule in translating these adverbs, is to omit a cipher from the given number, and call the remainder so many millions of sesterces. Thus here 200, omitting a cipher, is 20—sc. millions. 'Sexagies,' i. e. 60, gives 6 millions. 'Decies,' i. e. 10, one million, and so on. 2. The amount in English money is nearly given by inserting £8,000, instead of the word millions. Thus 20 millions, (ducenties,) is

20 × 8000 = £160,000. 3. 'Sestertium,' is never a sum of 1000 sesterces, as is usually said, but is always the gen. plur. for 'sestertiorum.' Orat. 46. 'Sestertia,' indeed, occurs in the poets, where 'sestertii' would be inadmissible, and has millia understood. Juv. Sat. iv. 15. 16.—4. 'Sestertius,' ('semis tertius') is not the *third half*, but *half* of the *third*, the *first* and *second* being understood; and therefore expresses clearly 2½. So 'semis-quartus' would be 3½; as in Greek τρίτον ἡμι-τάλαντον is 2½ talents.

7. *Casinas*] i. e. Of Casinum, a town of Campania, where the Latin joins the Appian way. Inf. 41.

8. *Te amarit is, qui*] As nobody ever had acted so, he leaves the hearer to infer that Antony had forged the will.

9. *Albus aterne*] An adage, meaning 'to know or care nothing about a person.' Catullus says of Cæsar, Epig. 94.

'Non nimium cupio, Cæsar, tibi velle placere,
Nec scire utrum sis albus an ater homo.'

Hence its application to the character of Antony.

10. *Equitis Romanis*] To distinguish him from a senator of the same name, father-in-law of the consul elect.

amantissimi, [;] quem palam heredem semper factitarat: [ne nominat quidem:]¹¹ te, quem nunquam viderat, aut certe nunquam salutaverat,¹² fecit heredem. Velim mihi dicas, nisi molestum est, L. Turselius qua facie fuerit, qua statura, quo municipio, qua tribu. "Nihil scio," inquires, "nisi quæ prædia habuerit." Igitur¹³ fratrem exheredans, te faciebat heredem. In multas præterea pecunias alienissimorum¹⁴ hominum, ejectis veris heredibus, tamquam heres esset, invasit. Quamquam hoc maxime admiratus sum, mentionem te hereditatum ausum esse facere, quum ipse hereditatem patris non adisses.¹⁵

XVII. Hæc ut colligeres,¹ homo amentissime, tot dies in aliena² villa declamasti? quamquam tu quidem (ut tui familiarissimi dictitant) vini exhalandi,³ non ingenii acuendi causa, declamitas. Et vero adhibes joci causa magistrum, suffragio tuo et compotorum tuorum, rhetorem,⁴ cui concessisti, ut in te, quæ vellet, diceret, salsum⁵ omnino hominem: sed materia facilis est in te et in tuos dicta dicere.⁶ Vide autem, quid

11. *Ne nominat quidem*] Al. *ne nomen quidem perscripsit*. Orel. brackets them, as an interpolation, and refers 'quem, &c.' to 'fratris—Q. Fufii.' For the brother of Rubrius might have been adopted into the 'gens Fufiorum.'

12. *Aut—salutaverat*] Ern. objects to this *salutation* as out of place. But Cic. means: 'Whom he had never seen, or (if he had) at least (certe) had never, &c.'

13. *Igitur, &c.*] It seems harsh to make 'igitur' illative here. Perhaps it is like the Greek *μὲν οὖν*, 'well then,' used after a parenthetic argument, to carry back the mind to the previous statement. So Arch. 5. 'His igitur tabulis, &c.' Mil. 29. 'Ejus igitur mortis, &c.'

14. *Alienissimorum*] Opposed to *relations*. Supr. 6. 'Hujus ego alienus consiliis consul usus sum.'

15. *Non adisses*] Because it was all squandered.

SECT. XVII.—1. *Colligeres*] Ligar. 10. n. 13. As it does not appear how

collecting facts or calumnies against Cic. could *sharpen* the genius of Antony; perhaps 'colligo' is here taken in the logical sense of 'drawing an inference.' So Hor. Sat. ii. 1.—'sic collige mecum.' His masterly *inferences* were, e. g. that Cic. lost Pompey's friendship by splenetic jests, that he was a conspirator because Brutus called on him first, &c.

2. *Tot dies in aliena*] Seventeen; which Antony had passed in a villa of Q. Metellus Scipio, at Tibur. Phil. v. 7.

3. *Vini exhalandi*] Similarly Dem. de Cor. 86. *Καὶ ἔμοιγε δοκεῖς ἐκ τούτων, Ἀισχίνη, τῶν λόγων ἐπιδειξίν τινα φωνασκίας βουλόμενος ποιησάσθαι, τοῦτον προεῖσθαι τὸν ἀγῶνα, οὐκ ἀδικήματος οὐδενὸς λαβεῖν, τιμωρίαν.*

4. *Rhetorem*] Sup. 4. n. 7.

5. *Salsum, &c.*] 'Salsus,' savoury, from 'sal.' Negatively, 'insulsus,' insipid. The transition is easy to wit, the salt of conversation.

intersit inter te et avum tuum. Ille sensim⁷ dicebat, quod causæ prodesset; tu cursim dicis aliena. At quanta merces rhetori data est! Audite, audite, Patres conscripti, et cognoscite reipublicæ vulnera. Duo millia jugerum campi Leontini⁸ Sex. Clodio rhetori assignasti,⁹ et quidem immunitia,¹⁰ ut populi Romani tanta mercede nihil sapere disceres. Num etiam hoc, homo audacissime, ex Cæsaris commentariis? Sed dicam alio loco et de Leontino agro et de Campano: quos iste agros ereptos¹¹ reipublicæ, turpissimis possessoribus¹² inquinavit. Jam enim,¹³ quoniam criminibus ejus satis respondi, de ipso emendatore et correctore nostro quædam dicenda sunt. Nec enim omnia effundam, ut, si sæpius decertandum sit, ut erit, semper novus veniam: quam facultatem mihi multitudo istius vitiorum peccatorumque largitur.

XVIII. Visne igitur te inspiciamus a puero?¹ Sic opinor.

6. *Dicta dicere*] ‘Dicta’ for ‘dicteria.’ Easy to be witty when you and your friends are the subjects. ‘Dico unum ridiculum dictum de dictis melioribus.’ Plaut. Capt. iii. 1.; but Ern. doubts the propriety of the expression ‘materia facilis—dicere,’ and thinks it should be ‘dicenti’ or ‘ad dicendum.’ Plut. Ant. 24, mentions Antony’s fondness for jests even at his own expense.

7. *Sensim*] Vid. de Or. ii. 1, and Brut. 36; where the peculiar character of Antonius’s oratory is fully developed. It appears that he was a guarded speaker, whose great care was not to injure the cause which he undertook to defend.

8. *Campi Leontini*] This plain was near Leontium, in Sicily. Cic. Verr. iii. 18. says of it, ‘cujus species hæc erat, ut cum obsitum vidisses, annonæ caritatem non vererere.’ This then being the most fertile part of Sicily, and Sicily being, as Polyb. testifies, the granary of Rome, we may clearly see the wound of the republic.

9. *Assignasti*] This word is properly applied to distributing lands to

colonists, from ‘ad’ and ‘signum.’ When the Romans conquered a country, they usually restored the lands to the inhabitants on the condition of paying *decumæ* or tithe. Hence the lands were called ‘decumani.’ They reserved, however, a part of the most valuable, as a patrimony of the Roman people. Such it appears was the Leontine plain, which Cic. inf. 39, reckons ‘in pop. Rom. patrimonio.’

10. *Immunitia*] They were given to Clodius without any restriction as to rent or tithe.

11. *Ereptos*] Because they were the patrimony of the state. Vid. penult. n.

12. *Turpissimis possessoribus*] Clodius and companions.

13. *Jam enim*] These are particles of transition. He has now done with ‘pro me aliquid,’ and proceeds to ‘multa in Antonium.’ Sup. 5.

SECT. XVIII.—1. *Visne—a puero*] This was the usual order observed by orators in their invective speeches. Vid. Dem. de Cor. 79, when he traces Æschines from sweeping the school-room to speaking from the Rostra.

A principio ordiamur. Tenesne memoria, prætextatum² te decoxisse?³ "Patris,"⁴ inquires, "ista culpa est." Concedo. Etenim est pietatis plena defensio. Illud tamen audaciæ tuæ, quod sedisti in quattuordecim ordinibus, quum esset lege Roscia⁵ decoctoribus certus locus constitutus, quamvis quis fortunæ vitio, non suo decoxisset. Sumpsisti virilem, quam statim muliebrem togam⁶ reddidisti. Primo vulgare scortum; certa flagitii merces, nec ea parva; sed cito Curio intervenit, qui te a meretricio quæstu abduxit, et, tamquam stolam⁷ dedisset, in matrimonio stabili⁸ et certo locavit. Nemo unquam puer emptus libidinis causa, tam fuit in domini potestate, quam tu in Curionis. Quoties te pater ejus domu sua ejecit? quoties custodes⁹ posuit, ne limen intrares? quum tu tamen, nocte socia, hortante libidine, cogente mercede, per tegulas demitterere. Quæ flagitia domus illa diutius ferre non potuit. Scisne, me de rebus mihi notissimis

2. *Prætextatum*] Scil. before you were seventeen, the age for assuming the manly gown. As this, however, was not the fault of Antony, though sufficiently disgraceful to him, the orator rather dwells upon his impudence in sitting, notwithstanding, in the benches appropriated to the knights. The 'prætexta' was a white gown with a purple border. It formed the dress of the sons and daughters of the better sort, till they arrived at seventeen, as well as of senators, magistrates, and priests, any of whom, when so arrayed, may be called 'prætextatus.'

3. *Decoxisse*] Sc. *argentum*; for Cic. uses 'decoctum argentum.' The transition from 'decoquo' to wasting money, becoming a bankrupt, is obvious. Some suppose the metaphor taken from trees wherein the sun has dried up the moisture.

4. *Patris*] Antonius Creticus, so called, from his unsuccessful war against that island. Vid. Manil. 12. n. 12. He was remarkable as a spendthrift, and is said never to have kept an account.

5. *Roscia*] Roscius Otho, a tri-

bune, passed this law A. U. 687. It set apart for the Equites by birth or by property, fourteen rows in the theatre, immediately behind where the senators sat, excluding insolvents, to whom a distinct place was assigned; but this Antony did not regard.

6. *Virilem—muliebrem togam*] Ern. *muliebram stolam*. 'Toga' was the proper garb of courtesans; 'stola' of matrons; as Hor. i. 2.

'Quid inter—

Est in matrona, ancilla peccesse togata;'

and again,

'Ad talos stola demissa et circumdata palla.'

7. *Stolam*] This robe was presented by the husband to the bride, who then laid aside the *prætexta*.

8. *In matrimonio stabili*] So Virgil:

'Conjugio jungam stabili propriamque dicabo.'

Cic., in the selection of his expressions, on a subject where selection was necessary, had in view Dem. de Cor. 40. ἡ μήτηρ σου τοῖς μεθήμερινοῖς γάμοις χρωμένη, &c.

9. *Custodes*] These were usually

dicere? Recordare tempus illud, quum pater Curio mœrens jacebat in lecto; filius se ad pedes meos prosternens, lacrimans, te mihi commendabat; orabat, ut te contra suum patrem, si sestertiũ sexagies¹⁰ peteret, defenderem; tantum enim se pro te intercessisse.¹¹ Ipse autem amore ardens confirmabat, quod desiderium tui discidii¹² ferre non posset, se in exsilium iturum. Quo tempore ego quanta mala florentissimæ familiæ¹³ sedavi, vel potius sustuli!¹⁴ Patri persuasi, ut æ alienum filii dissolveret; redimeret¹⁵ adolescentem, summa spe et animi et ingenii præditum, rei familiaris facultatibus; eumque a tua non modo familiaritate, sed etiam congressione,¹⁶ patrio jure et potestate¹⁷ prohiberet. Hæc tu, quum per me acta meminisses: nisi illis, quos videmus, gladiis¹⁸ confideres, maledictis me provocare ausus esses?

XIX. Sed jam stupra et flagitia omittamus: sunt quædam, quæ honeste non possum dicere: tu autem eo liberior, quod ea in te admisisti,¹ quæ a verecundo inimico audire non posses. Sed reliquum vitæ cursum² videte: quem quidem celeriter perstringam. Ad hæc enim, quæ in civili bello, in

employed by the Romans in guarding the chambers of the women, but Curio was obliged to go further. Sometimes they were chained to the door-posts; sometimes dogs were employed. So Hor. Carm. 'et vigilum canum Tristes excubiæ.'

10. *Sestertiũ sexagies*] Six millions of sesterces. Supr. 16. n. 6.

11. *Intercessisse*] i. e. By his intercession he had obtained from the money-lenders a sum to that amount.

12. *Discidii*] Ligar. 2. n. 9.

13. *Florentissimæ familiæ*] Noticed thus by Pliny. 'Una scœminarum in omni ævo Lampedo Lacedæmonia reperitur, quæ regis filia, regis uxor, regis mater fuit: una Phærenice, quæ filia, soror, mater Olympionicarum: una familia Curionum, in qua tres continua serie oratores exstiterunt: una Fabiorum, in quâ tres continui principes senatûs.'

14. *Sedavi—sustuli*] He did the first by persuading the father to pay the debt; the second by advising him

to keep his son from the society of Antony.

15. *Redimeret*] This is to be understood literally, as debtors were by the Roman laws bound and handed over to the creditors as slaves.

16. *Congressione*] Alloquio, salutatione communi.

17. *Patrio jure et potestate*] By the former, (jus), the father had power over his son's liberty; by the latter (potestas), over his life.

18. *Illis—gladiis*] Sc. of the Itureans and other barbarians who were placed by Antony in and near the senate-house. Supr. 8.

SECT. XIX.—1. *In te admisisti*] Mil. 23. n. 19.

2. *Reliquum vitæ cursum*] This takes in merely the period from his assumption of the manly gown at seventeen, to the end of his tribunate; and this he presently calls 'media,' whereas his conduct in the civil wars is called 'extrema.'

maximis reipublicæ miseriis fecit,³ et ad eā, quæ quotidie facit, festinat animus. Quæ peto, ut, quamquam multo notiora vobis quam mihi sunt, tamen, ut facitis, attente audiat. Debet enim talibus in rebus excitare animos non cognitio solum rerum, sed etiam recordatio. Tametsi incidamus oportet media, ne nimis sero ad extrema veniamus.

Intimus erat in tribunatu⁴ Clodio, qui sua erga me beneficia commemorat; ejus omnium incendiorum fax: cujus etiam domi jam tum quiddam molitus est.⁵ Quid dicam, ipse optime intelligit. Inde iter⁶ Alexandriam contra senatus auctoritatem,⁷ contra rempublicam et religiones:⁸ sed ha-

3. *Quæ in civili bello—fecit*] This is what he subsequently calls 'suæ partes,' and the words 'quæ—fecit,' make it probable that the metaphor is there taken from the stage.

4. *In tribunatu*] i. e. 'Intimus Clodio in tribun. *Clodii*;' for which Clodius had qualified himself by adoption into a plebeian family. His object being to harass Cic. and procure his banishment, in which he succeeded; any man who was his friend must have been Cicero's enemy.

5. *Quiddam molitus*] This is referred by Manut. to an intrigue with Fulvia, the wife of Clodius, whom he afterwards married. This reference is countenanced by the words 'ipse optime intelligit.' Ern. conjectures to that it may allude to a plot to slay Clodius; Abram. to slay Pompey; and these agree best with the word 'molitus.'

6. *Inde iter*] When Antony had been separated from Curio, who went abroad, he attached himself to Clodius, then notorious for his persecution of Cic.; but, seeing Clodius's popularity failing, and his enemies daily increasing, Antony thought it prudent to withdraw from Rome. He travelled to Greece, and was applying himself there to the study of learning and eloquence, when he met Gabi-

nus, the consul of the preceding year, who was proceeding to take possession of Syria, the province appointed him by the Clodian law. Under him, Antony accepted of a command, and distinguished himself in the war against Aristobulus. About this time, Ptolemy, king of Egypt, being banished by the Alexandrians, repaired to Rome, where he hoped, through the influence of Pompey, to procure a decree for his restoration by force of arms. In this he was disappointed, as a Sibylline oracle was produced forbidding it. Pompey, however, interfered so far as to recommend him by letter to Gabinius, who, urged by the entreaties of Antony, and tempted by the king's gold, at length acceded to his terms, and contrary to the order of the senate, did restore Ptolemy. This was in the consulship of Pomp. and Crass., A. U. 698.

7. *Contra—auctor.*] Cic., Q. Fr. ii. 2, says 'De rege Alexandrino factum est S. consultum, eum multitudine reduci periculosum reip. videri;' so that 'auctoritas' is not used here in its technical sense. Mil. 6. n. 6.

8. *Religiones*] Sc. Phil. i. 10. The so-called Sibylline oracle ran as follows: 'Si Ægypti rex auxilio indigens quondam venerit, ejus amicitiam ne abnueritis; sed illum cum multitudine ne juveritis. Quod si aliter fac-

bebat ducem Gabinium,⁹ quicum quidvis rectissime facere posset. Qui tum inde reditus,¹⁰ aut qualis? Prius in ultimam Galliam¹¹ ex Ægypto, quam domum. Quæ autem erat domus? Suam enim quisque domum tum obtinebat,¹² nec erat usquam tua. Domum dico? quid erat in terris, ubi in tuo pedem poneress,¹³ præter unum Misenum,¹⁴ quod cum sociis, tamquam Sisaponem, tenebas?

XX. Venisti e Gallia ad quæsturam¹ petendam. Aude dicere, te prius ad parentem tuum² venisse, quam ad me. Acceperam jam ante Cæsaris literas, ut mihi satisfieri paterer³ a te: itaque ne loqui quidem sum te passus de gratia. Postea cultus sum⁴ a te, tu a me observatus⁵ in petitione

tum fuerit, labores et pericula habebitis.' This forgery Pompey justly despised.

9. *Gabinium*] Manil. 17 n. 6.

10. *Qui—reditus*] Another man would have returned home to visit his friends, at least his mother; Antony proceeded at once to Gaul. His affairs, therefore, must have been desperate, and the course of life which made them so, flagitious.

11. *In ultimam Galliam*] i. e. 'Remotissimam ab Ægypto.' Cæsar was in Britain when Gabinus returned from Egypt; but soon after returned to Belgium, to winter-quarters, and was joined by Antony; who, wishing to solicit the quæstorship, procured letters from him to Cic. He easily admitted of his excuses, bowed to the authority of Cæsar, and took the 'vulgare scortum' under his patronage!

12. *Suam—tum obtinebat*] Meaning that times were changed; for Antony was now in possession of Pompey's house.

13. *Ubi—pedem poneress*] i. e. "Had possession of"—a phrase borrowed from an old custom of litigants proceeding to the ground in dispute, and setting foot on it; then, after a sham scuffle, appealing to the prætor.

14. *Misenum*] Manil. 12. n. 9. Antony had a small estate and villa at the promontory of this name, which had

belonged to his grandfather, the orator, (de Or. ii. 14), and was his usual retreat even at the time when this oration was spoken. (Att. xv. 1.) It appears, inf. 29, that he had mortgaged or sold a part of it—'ex quibus, præter partem Miseni, nihil erat, quod—posset suum dicere.' This explains the allusion in the words, 'cum sociis, tamquam Sisaponem;' for Antony had partners (socii) in the property of his villa; namely his creditors, just as the lead mines in Sisapo belonged to a joint stock mining company. Plin. Nat. H. iii. 1, testifies that Sisapo was a town of Spain, near Cordova, celebrated for its mines of red lead.

SECT. XX.—1. *Ad quæsturam*] The first public office held by public men.

2. *Parentem tuum*] His father had been long dead. Al. *tuam*, sc. Julia, the sister of L. Cæsar. Charisius maintains that *heres*, *parens*, *homo*, though applied to a woman, remain masc. V. E.

3. *Satisfieri paterer*] The offence of Antony was, his joining the party of Clodius.

4. *Cultus sum*] Ern. *custoditus sum*, which reading must be referred to Antony's guarding Cicero from the Clodian mob.

5. *Observatus*] This word, in its secondary sense of 'venerari,' was

quæsturæ. Quo quidem tempore⁶ P. Clodium, approbante populo Romano, in foro es conatus occidere: quumque eam rem tua sponte conarere, non impulsu meo; tamen ita prædicabas, te non existimare, nisi illum interfecisses, unquam mihi pro tuis in me injuriis⁷ satis esse facturum. In quo demiror, cur Milonem impulsu meo rem illam egisse dicas, quum te, ultro mihi idem illud deferentem, nunquam sim adhortatus. Quamquam,⁸ si in eo perseverares, ad tuam gloriam rem illam referri malebam, quam ad meam gratiam.⁹ Quæstor es factus. Deinde continuo sine senatus-consulto, sine sorte, sine lege¹⁰ ad Cæsarem cucurristi. Id enim unum in terris egestatis, æris alieni, nequitiae, perditis vitæ rationibus perfugium esse ducebas. Ibi te quam et illius largitionibus et tuis rapinis explevisses, (si hoc est explere, quod¹¹ statim effundas,) advolasti egens ad tribunatum,¹² ut in eo magistratu, si posses, viri tui¹³ similis esses.

XXI. Accipite nunc, quæso, non ea, quæ¹ ipse in se, atque in domesticum dedecus impure atque intemperanter, sed quæ in nos fortunasque nostras, id est in universam rempublicam, impie ac nefarie fecerit. Ab hujus enim scelere omnium malorum principium natum reperietis. Nam, quum

applied to that patronage which was vouchsafed by public men of long standing, to youths setting out in public life. Mil. Intro. 3.

6. *Quo quidem tempore*] Mil. 15. This attempt occurred after Cicero's return from banishment.

7. *Pro tuis in me injuriis*] Sc. by being *fax incendiorum* of Clodius.

8. *Quamquam*] Mil. 2. n. 18.

9. *Meam gratiam*] The obliging of me.

10. *Sine S. C.—sorte—lege*] Quæstors were appointed at the comitia tributa. The particular province of each, however, was usually determined by a decree of the senate, by casting lots, or, on extraordinary occasions, by a law of the people. Antony, however, after his election by the people, without waiting for any particular appointment, set out for Cæsar who had made choice of him as his quæstor, which

was sometimes done. Att. vi. 6. 'Pompeius, eo robore vir, Q. Cassium sine sorte delegit, Cæsar Antonium, ego sorte datum [quæstorem] offendere?'

11. *Explere, quod*] A word seems wanting before 'quod.' Sch. supplies *ingerere*; others *devorare*. Ern. contends that *quod* should be *quum*.

12. *Ad tribunatum*] The next office after the quæstorship, was either the ædileship or tribuneship. Antony, whose talents were by this time fully developed to Cæsar, was directed by him to proceed to Rome and sue for the latter, in order to assist in supporting his interest there.

13. *Viri tui*] Curio. Supr. 2. n. 15.

SECT. XXI.—1. *Non ea, quæ, &c.*] Cic., however, notices these inf. particularly, c. 23. 25.

L. Lentulo, C. Marcello,² consulibus, Kalendis Januariis labantem³ et prope cadentem rempublicam fulcire cuperetis, ipsique C. Cæsari, si sana mente esset, consulere velletis: tum iste venditum atque emancipatum⁴ tribunatum consiliis vestris opposuit,⁵ cervicesque suas ei subjecit securi,⁶ qua multi minoribus⁷ in peccatis occiderunt. In te, M. Antoni, id decrevit senatus, et quidem incolumis, nondum tot luminibus extinctis, quod in hostem togatum⁸ decerni est solitum more majorum. Et tu apud patres conscriptos contra me dicere ausus es, quum ab hoc ordine ego conservator essem, tu hostis reipublicæ judicatus? Commemoratio illius tui sceleris intermissa est, non memoria deleta. Dum genus hominum, dum populi Romani nomen exstabit, (quod quidem erit, si per te licebit, sempiternum!) tua illa pestifera in-

2. *L. Lentulo, C. Marcello*] Sc. A. U. 704. There were at this time at Rome, three Marcelli, Marcus, consul in 702, for whose restoration Cic. returned thanks to Cæsar; Caius, his brother, now consul; and Caius, a cousin, the father of the Marcellus of Virgil. They were all distinguished opponents of Cæsar.

3. *Labantem*] Al. *labentem*; which reading is found in the Vatican MS. but Scheller prefers the former. 'Fulcimus domum *labantem*, non *labentem*.' Garaton. V. E.

4. *Emancipatum*] Sold, enslaved. 'Mancipium,' or 'res Mancipi,' meant real property, which the owner could put out of his hands or alienate at pleasure; and hence, 'emancipated.' But this could not be done without the right of possession being ceded to another; hence, 2. 'transferred, enslaved,' as here. Her. Epod. 9. 'Romanus—emancipatus fœminæ.' Al. *mancipatum*, which indeed is generally a different reading for 'emancipatum' in this sense. Vid. Forcel.

5. *Tribunatum—opposuit*] Cæsar's popularity with the plebeians caused the aristocracy to unite themselves more closely with Pompey, who had

already, on the death of Julia, given plain intimations of hostility to Cæsar. Cæsar's interest was zealously supported at Rome by Antony, who, by a decree of the people, had the legions that were raised for Pompey sent into Syria, to Bibulus, who obliged the senate to hear Cæsar's written defence. A motion was made by the consul Marcellus, that either Cæsar or Pompey should resign his command; it was moved and carried, by Antony, that both should resign. This decision, the consuls, of course, opposed. Finally, when Antony had interposed his veto against the various propositions of Cæsar's opponents, and his own, in return, were rejected by them, a vote of the senate was passed, which forced him and his colleague, Cassius, to leave the city in the disguise of slaves, and take refuge with Cæsar. Cæs. B. C. 4.

6. *Ei—securi*] i. e. To the danger resulting from a decree of the senate, by which any one who persisted in impeding its acts, was decided to have acted against the republic.

7. *Minoribus*] Sc. than what you committed.

8. *In hostem togatum*] i. e. He was judged a public enemy. The

tercessio⁹ nominabitur. Quid cupide¹⁰ a senatu, quid temere fiebat, quum tu, unus adolescens,¹¹ universum ordinem decernere de sàlute reipublicæ prohibuisti? neque id semel, sed sæpius? neque tu tecum de senatus auctoritate agi passus es? Quid autem agebatur, nisi ne deleri et everti rempublicam funditus velles,¹² quum te neque principes civitatis rogando, neque majores natu monendo, neque frequens senatus agendo, de vendita atque addicta¹³ sententia movere potuit? Tum illud, multis rebus ante tentatis, necessario tibi vulnus¹⁴ inflictum est, quod paucis ante te, quorum incolumis fuit nemo. Tum contra te dedit arma hic ordo consulibus reliquisque imperiis et potestatibus:¹⁵ quæ non effugisses, nisi te ad arma Cæsaris contulisses.¹⁶

XXII. Tu, tu, inquam, M. Antoni, princeps C. Cæsari, omnia perturbare cupienti, causam belli¹ contra patriam inferendi dedisti. Quid enim aliud ille dicebat? quam causam

senate sometimes decided to this effect, in the case of refractory citizens. Vid. Pis. 15.

9. *Intercessio*] Alluding particularly to the decree of the senate, that Cæsar should, by a certain day, disband his army. Cæs. B. C. 1.

10. *Cupide*] Antony had charged the senate with yielding to their passions and predelictions against Cæsar; but Cicero is of opinion, that Antony's youth and *single* veto justified their conduct. Cic. does not here notice Cassius, the colleague of Antony. Fam. xvi. 11.

11. *Adolescens*] Cic. gives Antony the same appellation fourteen years before. As the Cornelian law required the tribune to be thirty years of age, Cic., perhaps, used it here relatively to the age of the other senators.

12. *Velles*] As if Antony were the people; whose province it was 'velle,' &c.

13. *Vendita—addicta*] 'Vendita,' disposed of by private sale; 'addicta,' consigned by auction to the highest bidder. 'Mancipata' required a regular form of law and witnesses.

14. *Vulnus*] Sc. declaring you a public enemy. The form was: 'Senatus consulibus, prætoribus, tribunis plebis, et iis qui proconsules sunt, negotium dedit, ut curarent nequid resp. detrimenti caperet.' Fam. xvi. 11.

15. *Imperiis—potestatibus*] A magistracy entitling the holder to lictors and fasces, was called 'imperium;' otherwise, as in the case of tribunes, it was named 'potestas.'

16. *Contulisses*] It is not certain whether Antony was expelled or not. Cic. Fam. 16. 11, says, 'nulla vi expulsi,' whereas Cæsar, B. C. 4, and even Lucan, i. 266, asserts the contrary:

Expulit ancipiti discordes urbe tribunos

Victo jure minax jactatis Curia Gracchis.

Perhaps he was expelled by force from the senate, but not from the city. That Antony, under the circumstances, should put himself under Cæsar's protection, was so probable, that it was anticipated by Cic. himself. Att. vii. 9.

SECT. XXII.—1. *Causam belli*]

sui dementissimi consilii et facti afferebat, nisi quod intercessio neglecta,² jus tribunicium³ sublatum, circumscriptus⁴ a senatu esset Antonius? Omitto, quam hæc falsa, quam levia:⁵ præsertim quum omnino nulla causa justa cuiquam esse possit contra patriam arma capiendi. Sed nihil de Cæsare:⁶ tibi certe confitendum est, causam perniciosissimi belli in persona tua constitisse. O miserum te, si intelligis! miseriorem,⁷ si non intelligis, hoc literis mandari, hoc memoriæ prodi, hujus rei ne posteritatem quidem omnium seculorum unquam immemorem fore, consules ex Italia expulsos, cumque his Cn. Pompeium, qui imperii populi Romani decus ac lumen fuit, omnes consulares,⁸ qui per valetudinem exsequi cladem illam fugamque⁹ potuissent,

i. e. Ansam belli.

2. *Intercessio neglecta*] Which Cic., supr. 21, calls 'pestifera.' Sylla, who is usually said to have abolished the tribunitian office, only stripped it of its positive power, allowing the veto to remain. Leg. iii. 10. Cæs. B. C. 4. Cæsar pretended to think it hard, that Pompey, under whose control he supposed the senate to be, should deprive the tribunes of a privilege which even Sylla had left unimpaired. Yet Pompey had, in his second consulship, restored the tribunitian rights. Vell. ii. 30. Sall. Cat. 38.

3. *Jus tribunicium*] By it the persons of the tribunes were sacred; they could not be interrupted when speaking (Sext. 39); they had a certain jurisdiction (Juven. Sat. vii. 228), their proceedings could only be impeded by one of their own body; they alone retained office during the magistracy of a dictator; they could not be sued at law; they were able to convoke the senate and make motions there, even in presence of the consuls, &c., &c.

4. *Circumscriptus*] Mil. 23. n. 4. Cic. Att. vii. 9, alluding to this very circumstance, enumerates four methods by which the senate coerced a tribune: 'notatus, aut S. Consulto

circumscriptus, aut sublatum, aut expulsus.' They had all been used against Antony; but Cic. here limits himself to the second. The S. C. was, no doubt that alluded to supr. 21. n. 14, which was quite sufficient to restrict Antony.

5. *Falsa—levia*] They were false; for Antony's was a necessary coercion; they were trivial; for what signified the injured feelings or authority of Antony in comparison of a civil war?

6. *Sed nihil de Cæsare*] Sc. *dicendum*. 'This is not the time to enter into the question of Cæsar's guilt; you, at least, &c.,' which is all I want.

7. *Miseriorem*] Because there is no hope of the man who has not sense to perceive his own infamy.

8. *Omnes consulares*] As Servilius Isauricus, Serv. Sulpicius, and some others, remained behind, he adds, 'qui per valetudinem, &c.'

9. *Exsequi cladem—fugamque*] 'Cladem' here connected with 'fugam,' partakes of its meaning, and both, by a sort of Hendiad, signify 'disastrous flight.' 'Exsequi,' ἐπιτελέω, make good, accomplish. Att. ix. 12. 'Cur non omnes fatum illius executi sumus.'

prætores, prætorios, tribunos¹⁰ plebis, magnam partem senatus, omnem subolem juventutis, unoque verbo, rempublicam expulsam atque exterminatam suis sedibus! Ut igitur in seminibus¹¹ est causa arborum et stirpium: sic hujus luctuosissimi belli semen tu fuisti. Doletis tres exercitus¹² populi Romani interfectos: interfecit Antonius. Desideratis clarissimos cives: eos quoque vobis eripuit Antonius. Auctoritas hujus ordinis afflicta est: afflixit Antonius. Omnia denique, quæ postea vidimus, (quid autem mali non vidimus?) si recte ratiocinabimur, uni accepta referemus Antonio.¹³ Ut Helena Trojanis,¹⁴ sic iste huic reipublicæ causa belli, causa pestis atque exitii fuit. Reliquæ partes tribunatus principiiis¹⁵ similes. Omnia perfecit, quæ senatus, salva republica, ne fieri possent, perfecerat. Cujus tamen scelus in scelere¹⁶ cognoscite.

XXIII. Restituebat multos calamitosos.¹ In iis patru² nulla mentio. Si severus, cur non in omnes? Si misericors, cur non in suos? Sed omitto ceteros. Licinium Lenticulam, de alea condemnatum, collusorem suum, restituit: quasi vero³ ludere cum condemnato non liceret! sed ut, quod in alea perdiderat, beneficio legis dissolveret. Quam attulisti

10. *Prætores—tribunos*] Not strictly. M. Æmilius Lepidus, the prætor, remained behind, and afterwards named Cæsar Dictator; while L. Metellus is mentioned as opposing his tribunitian authority to the seizure of the public treasures by Cæsar.

11. *Seminibus*] So in Dem. de Cor. 52. 'Ὁ γὰρ τὸ σπέρμα παρασχὼν, οὗτος ἦν τῶν φύντων κακῶν αἴτιος.

12. *Tres exercitus*] That of Pompey, at Pharsalia; of Afranius, in Spain; and Scipio's, in Africa. Cic., doubtless, considers Cæsar as an enemy of the republic, and reckons not his losses, though Romans also.—V. E.

13. *Uni—referemus Antonio*] Properly, set down to the account of Antony.

14. *Ut Helena Trojanus*] Plutarch, Ant. 6, needed not to have called Cic. an open liar (περιφανῶς ψευδόμενος) for this assertion, as it is

easy to see, that he merely meant Antony's affording a pretext to Cæsar, for invading his country; which, perhaps, was all that Helen did to the Greeks, in reference to the Trojans.

15. *Principiis*] His intervention took place on the first of January, twenty-one days after coming into office.

16. *Scelus in scelere*] i. e. It was one act of wickedness to revoke a public condemnation; but, having done so, it was a second, to omit the restoration of an uncle.

SECT. XXIII.—1. *Calamitosos*] i. e. 'Damnatos.' Verr. v. 6. 'Ut damnati in integrum restituantur.' Arch. 5. n. 5. Manil. 6, n. 9.

2. *Patru*] C. Antonius. Cat. iii. 6. n. 7.

3. *Quasi vero*] We must suppose, with Manut., that Antony, in his tribuneship, connived at Lenticula's evading the sentence of banishment,

rationem⁴ populo Romano, cur eum restitui oporteret?—Absentem, credo, in reos relatum; rem indicta causa judicatum; nullum fuisse de alea lege judicium; vi oppressum, et armis; postremo, quod de patruo tuo dicebatur, pecunia judicium esse corruptum. Nihil horum.—At vir bonus,⁵ et republica dignus.—Nihil id quidem ad rem:⁶ ego tamen, quoniam condemnatum esse, pro nihilo⁷ est, si ita esset, ignoscerem. Hominem omnium⁸ nequissimum, qui non dubitaret vel in foro alea ludere, lege, quæ est de alea,⁹ condemnatum, qui in integrum restituit, is non apertissime studium suum ipse profitetur? In eodem vero tribunatu, quum Cæsar in Hispaniam proficiscens¹⁰ huic conculcandam Italiam tradidisset; quæ fuit ejus peragratio itinerum! lustratio¹¹

in order that he might indulge with him his passion for play. Antony's including Lenticula in the act of restoration, then, could not have arisen from any want of the society of his friend, but from a stipulation, on Antony's part, to pay his losses in play, by releasing Lenticula from the sentence of banishment.

It is likely that in this passage, gaming in public, 'vel in foro alea ludere,' is designed, else Antony might have been condemned as well as Lenticula.

4. *Quam attulisti rationem*] It was usual to add to the act for restoring a banished man, the grounds of his restoration, generally some of the following. Antony added none.

5. *At vir bonus*] Another ground for recalling from banishment.

6. *Nihil id quidem ad rem*] Why not? Because it was contrary to the fundamental laws of the empire to revoke judicial decisions, no matter how just the pretence. Verr. v. 6.

7. *Condemn.—pro nihilo*] Since his having been condemned of the crime of gaming is now thought lightly of, and goes for nothing, I, too, would pardon it, and admit his restoration, if he were a good man.

8. *Hominem omnium*] Ern. *Vero omnium*. But Cicero's object being

to convict Antony of a passion for gaming, there is no opposition intended between 'si [vir bonus] esset' and 'hominum nequissimum;' consequently, *vero* should not be inserted.

9. *Lege, quæ est de alea*] Hence Hor. Carm. iii. 24. 'Seu malis vetita legibus alea.' They were the Titian, Publician, and Cornelian laws. The exact penalty of their violation is not known. The word 'restituit,' here used, makes it probable that it was banishment.

10. *Cæsar in Hispaniam proficiscens*] It should be observed that Cæsar waged two wars in Spain; one against Petreius, Afranius, and Varro, the lieutenants of Pompey, before the battle of Pharsalia (A. U. 704), another with the sons of Pompey, (A. U. 708,) the year before his assassination. It is the former to which he was now setting out. Previously to this he had obliged Pompey to evacuate Brundisium and fly to Greece; and as he was unable, owing to the want of transports, to pursue him at once and terminate the war, he resolved to proceed into Spain 'to meet,' as he said, 'an army without a general, that he might return to a general without an army.'

11. *Lustratio*] 'Lustrum,' λούω, is properly, a purificatory sacrifice;

municipiorum! Scio me in rebus celebratissimis omnium sermone versari, eaque, quæ dico dicturusque sum, notiora omnibus esse, qui in Italia tum fuerunt, quam mihi, qui non fui.¹³ Notabo¹⁴ tamen singulas res: etsi nullo modo¹⁵ poterit oratio mea satisfacere vestræ scientiæ. Etenim quod unquam in terris tantum flagitium exstitisse auditum est? tantam turpitudinem?¹⁶ tantum dedecus?

XXIV. Vehebatur¹ in essedo² tribunus plebis;³ lictores laureati⁴ antecedeabant; inter quos, aperta lectica, mima portabatur; quam ex oppidis municipales homines honesti, ob-

which, being customary before reviewing an army, or setting out to visit a country, 'lustratio' comes to signify a 'going about to inspect,' in which it differs from 'peragratio.' So *Æn.* i. 577. 'Libyæ lustrare extrema jubebo.' Also vi. 888.

13. *Quam mihi, qui non fui*] Yet Cic. remained in Italy two months after the departure of Cæsar for Spain. In fact, he did not set sail till he had advices of the battle of Ilerda, wherein Cæsar's army was worsted, when he withdrew privately to Dyrrachium, and joined Pompey.

14. *Notabo*] 'Notice;' not enter into fully.

15. *Etsi nullo modo*] i. e. You know more than I can mention. People sometimes wish to hear others state what they themselves know. Cic. could not in this instance gratify them.

16. *Tant. turp.*] Are bracketed by Ern. and expunged by Sch. But Schol. says that 'audit. est' may have the accus. after it.

SECT. XXIV.—1. *Vehebatur*] Abram. has here pointed out the striking force of the expressions. It was bad enough for a tribune to ride, but worse to ride on a Gallic car; particularly with lictors, an officer not allowed to them, and those lictors decked with laurel, as an emblem of their victory over their country. Then, again, the open litter of the courtesan, contrary to the custom in travelling,

('Namque facit somnum *clausa* lectica fenestra.' Juv. iii. 242,) the citizens obliged to call her by a Roman name, instead of Cytheris, &c., are all highly amplificatory circumstances.

2. *Essedo*] This car was probably made known to the Romans by Cæsar's invasion of Britain (*Cæs. B. G.* iv. 33); and as the Britons were thought a fierce people, ('*Britannos feros hospitibus.*' Hor. Carm. iii. 4,) it is likely that it was not much esteemed at Rome. Att. vi. 1. It was also used in Gaul. Virg. G. iii. 204. '*Belgica vel molli melius ferret esseda collo.*'

3. *Tribunus plebis*] Plutarch says that tribunes were not allowed the 'prætecta, lictors, or curule-chair; that they were obliged to continue in the city, and keep their doors open even during the night.' It may, therefore, be inferred, that they were not allowed carriages, particularly as it appears that a similar prohibition was made in the case of dictators and the 'flamines Diales.'

4. *Lictores laureati*] Cæsar annexed these lictors to his lieutenants, on his expelling Pompey from Italy. Cic. (Att. x. 4,) mentions their attendance on Curio, who, though not then a tribune, was a lieutenant. They were usually appointed by victorious generals, and Cæsar, no doubt, considered this a victory.

4. *Aperta lectica*] 'Lectica,' from 'lectus'—λέγω. It was furnished

viam necessario prodeuntes, non noto illo et mimico nomine, sed Volumniam⁵ consalutabant. Sequebatur rheda cum lenonibus,⁶ comites nequissimi,⁷ rejecta mater amicam impuri filii, tamquam nurum, sequebatur. O miseræ mulieris fecunditatem calamitosam!⁸ Horum flagitiorum iste vestigiis omnia municipia, præfecturas, colonias, totam denique Italiam impressit.

Reliquorum factorum ejus, Patres conscripti, difficilis est sane reprehensio et lubrica.⁸ Versatus in bello est: saturavit⁹ se sanguine dissimillimorum sui civium. Felix¹⁰ fuit, si potest ulla in scelere esse felicitas. Sed, quoniam veteranis cautum esse¹¹ volumus, quamquam¹² dissimilis est militum

with curtains, which were drawn when privacy or sleep demanded.

5. *Volumniam*] Cytheris had been the liberta and mistress of P. Volumnius Eutrapelus, (Fam. ix. 26,) at whose house Cic. supped with her.—Nepos, Att. 9, testifies that a friendship existed between him and Antony. Vid. Bayle, art. Lycoris, where he is proved to be the Eutrapelus of Horace. With regard to the name, she might well be proud of it. It belonged to a patrician family, and had been borne by the wife of Coriolanus. Liv. ii. 40.

6. *Cum lenonibus*] Al. *leonibus*; for Plut., Anton. 9, says, καὶ λέοντες ἄρμασιν ὑπεζευγμένοι; and Plin. viii. 15, 'Primus leones Romæ ad currum junxit M. Antonius, et quidem civili bello, cum dimicatum esset in Pharsalicis campis: non sine ostento quodam temporum, generosos spiritus jugum subire illo prodigio significante. Nam quod ita vectus est cum mima Cytheride, supra monstra etiam calamitatum fuit.' But 1. this account of Pliny applies to a time subsequent to the battle of Pharsalia, whereas Antony's progress took place when Cæsar was first in Spain, fighting against the lieutenants of Pompey. 2. 'Sequebatur cum leonibus,' meaning *juncta leonibus* appears to be an unauthorised construction. 3. Cic., agreeably to his manner, would have

dwelt on so flagitious a circumstance at greater length. It is certain, however, that Antony had lions before that time. 'Tu Antonii leones perimiscas, cave.' Att. x. 13.

7. *Comites nequissimi*] i. e. 'Meritorii pueri,' as inf. 41. 'Ingenui pueri cum meritoriis, scorta inter matresfamilias versabantur.'

8. *Fecunditatem calamitosam*] For her son was the source of calamity to her and to his country.

8. *Lubrica*] From, λέω, 'lavo,' washed with rain, slippery, dangerous; alluding to the veterans, as he presently shows.

9. *Saturavit*] So Pliny (Nat. Hist. xv. 22,) says of Antony, 'Quo facile intelligatur ebrius jam sanguine civium et tanto magis cum sitiens.' 'Dissimil. sui,' and therefore good men.

10. *Felix*] i. e. He was on the side of victory, though it was neither owing to prudence in selecting, nor bravery in sustaining his party.

11. *Veteranis cautum esse*] 'To have their advantages secured to the veterans;' which the senate might recall, if Cic. entered into a detail of the atrocities of the civil war. Phil. i. 2. 'Veterani—quibus senatus diligentissime caverat.' This is the usual explanation; but, perhaps the opposition which the following 'quamquam' requires would warrant translating it, 'to guard against, decline

causa et tua: illi secuti sunt; tu quæsisisti ducem: tamen, ne apud illos me in invidiam voces, nihil de genere belli dicam. Victor¹³ e Thessalia Brundisium cum legionibus¹⁴ revertisti. Ibi me non occidisti.¹⁵ Magnum beneficium! Potuisse enim fateor. Quamquam¹⁶ nemo erat eorum, qui tum tecum fuerunt, qui mihi non censeret parci oportere. Tanta est enim caritas patriæ, ut vestris etiam legionibus sanctus essem, quod eam a me servatam esse meminissent. Sed fac, id te dedisse mihi, quod non ademisti, meque a te habere vitam, quia non a te sit erepta: licuitne mihi per tuas contumelias hoc tuum beneficium sic tueri, ut tuebar, præsertim quum¹⁷ te hæc auditurum videres?

XXV. Venisti Brundisium, in sinum quidem et in complexum tuæ mimulæ.¹ Quid est? num mentior? Quam miserum est id negare non posse, quod sit turpissimum confiteri? Si te municipiorum² non pudebat: ne veterani quidem exercitus? quis enim miles fuit, qui Brundisii illam non viderit? quis, qui nescierit, venisse eam tot tibi dierum viam² gratulatum? quis, qui non indoluerit, tam sero se, quam ne-

interfering with, the veterans,' which he nearly expresses by, 'ne apud illos me in invidiam voces.' This sense, indeed, is usually found with *ab* and the abl.; but the dat. is also used.—Vid. Forcel. Lex.

12. *Quamquam*] A correction, as usual, even though followed by 'tamen.' Cat. ii. 12. n. 5. 'And yet your case and that of the soldiers stand on different grounds.'

13. *Victor*] The conduct of Antony in the civil wars was distinguished by bravery and prudence. He had conducted the army into Macedonia, taken Lissus, succoured Cæsar, in the greatest distress, twice conquered the Pompeians, and finally, at Pharsalia, commanding the left wing, slew Domitius, and contributed greatly to the victory. All this is, of course, omitted by Cic.

14. *Legionibus*] Namely, to defend Italy, while Cæsar himself pursued Pompey. Cic. was not present at the battle; and after it, was requested by Cato and Cn. Pompey, to take the

command of an army for the republic, and on his refusing, the younger Pompey was with difficulty restrained from killing him. Having come to Brundisium, he fell in with Antony and his legions.

15. *Ibi—non occidisti*] Vid. supr. 3, where this charge is noticed.

16. *Quamquam*] To correct his admission of its being a great favour, he shows that even legions in arms against their country, thought its preserver should be saved; how, therefore, could Antony have justly put him to death?

17. *Præsertim quum*] There is an ellipsis before these words, of *quod faciendum fuit*, or the like. 'But admitting all your inferences, did you allow me by your insults to prize your favour as I was doing; which it was your business to do, particularly as you were aware that I could and would retort,' (par pari relaturum. *Ferrar.*)

SECT. XXV.—1. *Mimulæ*] Contemptuously for 'mimæ' Cytheris.

2. *Si te municipiorum, &c.*] i. e.

quam hominem secutus esset, cognoscere? Italiae rursus percursatio³ eadem⁴ comite mima; in oppida militum crudelis et misera deductio;⁵ in urbe auri, argenti, maximeque vini,⁶ foeda direptio. Accessit,⁷ ut, Cæsare ignaro,⁸ quum esset ille Alexandriae, beneficio amicorum ejus,⁹ magister equitum constitueretur. Tum existimavit, se suo jure cum Hippia¹⁰ vivere, et equos vectigales¹¹ Sergio mimo tradere.

Antony should have regarded the opinion of the soldiers, over whom he was placed, as well to govern as set an example of moderation and virtue, if he did not regard the Italian citizens.

2. *Tot—dierum viam*] Cytheris was at Rome when she heard of Antony's victory, and proceeded to Brundisium to meet him. The distance was 350 miles. Hor. Sat. i. 5.

3. *Percursatio*] Sc. quum Romam iret. Ern.

4. *Eadem*] Referred by Abram. to 'percursatio.' 'This march through Italy was distinguished by all the enormities of the former, and more besides.' But it appears simpler to take it with 'comite mima.'

5. *In oppida—deductio*] This may mean either a temporary quartering of the troops, or a permanent settlement. In either case we can conceive that great oppression may have been practised.

6. *Maximeque vini*] This shews that avarice in Antony was secondary to intemperance.

7. *Accessit*] There was this addition to the profligate management of Antony's tribuneship.

8. *Cæsare ignaro*] It was usual for the dictator to appoint his own master of the horse; but in this case, as Cæsar set out immediately after the battle of Pharsalia, in pursuit of Pompey, and came directly to Alexandria, it is probable he knew nothing for some time of his own appointment; and of course, could not appoint Antony. Both appointments, no doubt, proceeded from the senate, who were ever ready to load their masters with honors. Masters of horse were sometimes

appointed by the senate. Liv. vii. 12.

9. *Amicorum ejus*] i. e. 'Cæsaris.' He wishes to make it appear that Cæsar entertained a contempt for Antony. It is nearer the truth that he was displeased with his disgraceful conduct, as appeared by his appointing Lepidus, on his return, to be his master of the horse, and colleague in the consulship. Hence too, his strictness with Antony, in reference to the price of Pompey's estate, which had been bought by Antony, c. 29. He still farther mortified his pride, by overlooking the turbulent conduct of Dolabella, who was at this time tribune, and whom Antony accused of an intrigue with his wife Antonia. c. 38.

10. *Cum Hippia, &c.*] A play on words is intended: Antony, being ἵππαρχος, might have intimacy with Hippas. V. E. Some make Hippia a Roman matron, and quote Juv. Sat. vi. 82. But she was wife of the senator Veientis, who eloped with a gladiator. Vid. Rupert. in loc.

11. *Equos vectigales*] 'Vectigal' is: 1. What produces income; 2. What is paid as tribute. Hence, 'agri vectigales,' Verr. v. 34; and, 'pecunia vectigalis,' Verr. iii. 35. As the Romans sometimes received horses from the tributary provinces, Antony may have readily presented some of them to this Sergius, as he did the Leontine lands to Clodius. Manut., however, adopts the first meaning of 'vectigalis,' and supposes Antony to have given Sergius the horses which belonged to his office, 'ut ex iis quæstum faceret.' And Ern. 'Puto cum Ferrar. Antonium huic mimo equos gratis dedisse

Tum sibi non hanc, quam nunc male tuetur, sed M. Pisonis¹² domum, ubi habitaret, legerat.¹³ Quid ego¹⁴ istius decreta, quid rapinas, quid hereditatum possessiones datas, quid ereptas proferam? Cogebat egestas: quo se verteret, non habebat. Nondum ei tanta a L. Rubrio, non a L. Turselio hereditas venerat; nondum in Cn. Pompeii locum, multorumque aliorum, qui aberant, repentinus heres¹⁵ successerat. Erat ei vivendum latronum ritu, ut tantum haberet, quantum rapere potuisset.

Sed hæc, quæ robustioris¹⁶ improbitatis sunt, omittamus: loquamur potius de nequissimo genere levitatis.¹⁷ Tu istis faucibus,¹⁸ istis lateribus, ista gladiatoria totius corporis firmitate,¹⁹ tantum vini in Hippiae nuptiis²⁰ exhauseras, ut tibi necesse esset in populi Romani conspectu vomere postridie. O rem²¹ non modo visu foedam, sed etiam auditu! Si inter cœnam,²² in ipsis tuis immanibus illis poculis, hoc tibi accidisset, quis non turpe duceret? In cœtu²³ vero populi Romani, negotium publicum gerens, magister equitum, cui ructare turpe esset, is vomens, frustis esculentis,²⁴ vinum redolentibus, gremium²⁵ suum et totum tribunal implevit.²⁶ Sed

ad ludos Circenses, ut ipse lucrum faceret iis locandis.'

12. *M. Pisonis*] M. Puppius Calpurnianus, consul A. U. 692.

13. *Tum sibi—legerat*] This sentence is restored from the Vatican MS. *Male tuetur* refers to the waste and destruction by Antony of Pompey's effects. V. E. But the words are '*nunc male tuetur*.' i. e. now ill maintains his right to—Sext. Pompey demanding his paternal property. Inf. 30.

14. *Quid ego, &c.*] This was all during Cæsar's absence at Alexandria.

15. *Reptinus heres*] i. e. Without claim or expectation, being heir by auction, instead of at law. So Manut. 'Quorum bona in auctione emerat, heres eorum esse videbatur.'

16. *Robustioris*] More audacious.

17. *Levitatis*] Nequitiae. Profli-gacy.

18. *Istis faucibus*] Quint. viii. 4.

19. *Gladiatoria—firmitate*] Not the habit of simple health, to which in Galen it is opposed, but resulting from training—of course, in intemperance.

20. *In Hippiae nuptiis*] Plut. Anton. 9.

21. *O rem, &c.*] Hor. A. P. 180. 'Segnius irritant animos, &c.'

22. *Inter cœnam*] i. e. 'Inter cœnandum.' Cœna, κοινή—the common meal.

23. *In cœtu, &c.*] Quint. viii. 4. 'Per se deforme, vel non in cœtu vomere: in cœtu etiam non populi: populi etiam non Romani: vel si nullum negotium ageret, vel si non publicum: vel si non magister equitum.'

24. *Esculentis*] Quint. viii. 4. 'Cibus non recens, ut accidere interdum solet, sed qui usque in posterum diem redundaret.'

25. *Gremium*] A 'gero,' the space from the girdle to the knees of a person sitting, the lap. 'Sinus,' all with-

hoc ipse fatetur esse in suis sordibus: veniamus ad splendida.²⁷

XXVI. Cæsar Alexandria¹ se recepit,² felix,³ ut sibi quidem videbatur; mea autem sententia, qui reipublicæ sit infelix, felix esse nemo potest. Hasta⁴ posita pro æde Jovis Statoris,⁵ bona, (miserum me! consumptis enim lacrimis,⁶ tamen infixus animo hæret dolor,) bona,⁷ inquam, Cn. Pompeii Magni,⁸ voci acerbissimæ subjecta præconis. Una in illa re⁹ servitutis oblita civitas ingemuit, servientibusque animis, quum omnia metu tenerentur, gemitus tamen populi Romani liber fuit. Exspectantibus omnibus, quisnam esset tam impius, tam demens, tam diis hominibusque hostis, qui ad illud scelus sectionis¹⁰ auderet accedere,¹¹ inventus est nemo, præter Antonium, præsertim quum tot essent¹² circum hastam illam,

in the compass of the breast and arms above the girdle, the bosom.

26. *Tribunal*] This occurred at Rome.

27. *Splendida*] e. g. The sale of Pompey's effects.

SECT. XXVI.—1. *Alexandria*] After Cæsar had arranged the affairs of Ptolemy, he returned to Rome, by the route of Pontus, having conquered on the way Pharnaces, the son of Mithridates. *Deiot. Introd. 3.*

2. *Se recepit*] A military phrase, signifying to retreat from danger. Perhaps Cic. intimates as much here, Cæsar having run peculiar hazard in the Alexandrian war.

3. *Felix, &c.*] i. e. Because he had been victorious.

4. *Hasta*] This was necessary to make a sale legal. The custom was derived from the earliest times, when the plunder of the enemy was so sold. *Festus.* 'Cui subiciebant ea quæ publice venumdabant, et eorum bona qui hasta, hoc est bello, superantur, quia signum armorum præcipuum est hasta.' *Off. n. 8.* 'Nec vero unquam bellorum civilium semen et causa deerit, dum homines perditī hastam illam cruentam et meminere et sperabunt.'

5. *Æde Jovis Statoris*] *Vid. Liv. i.*

12. According to the relation it must have been built near the old Palatium. 'Tu pater Deum hominumque, fœdam fugam siste. Hic ego tibi Statori Jovi voveo.'

6. *Consumptis—lacrimis*] So Seneca: 'Nulla flendi major est causa quam flere non posse.'

7. *Bona*] Every word is here also amplificatory. That the property of an indifferent person should be confiscated is hard; harder that of Pompey; harder still of a Magnus; harder again to be sold as spoil, at the spear, by a crier, whose very shout conveyed insult. *Quint. ix. 3.*

8. *Magni*] *Introd. Manil. 12. n.*

9. *Una in illa re*] It must, therefore, have been a strong case, which, in such deplorable subjection of the Roman people, called forth their groans.

10. *Scelus sectionis*] i. e. Scelutam sectionem. *Supr. 15. n. 16.*

11. *Accedere*] This is the technical word for attending an auction. So *Nepos Att. 3.* 'Ad hastam publicam nunquam accessit.' *Liv. xliii. 16.*

12. *Tot essent*] *Sc. P. Sylla, Marcellus, Attius, &c.,* who were notorious for such purchases. *Fam. v. 17.*

qui alia omnia auderent. Unus inventus est, qui id auderet, quod omnium fugisset et reformidasset audacia. Tantus igitur te stupor oppressit, vel, ut verius dicam, tantus furor, ut primum, quum sector sis isto loco natus,¹² deinde quum Pompeii sector, non te exsecratum populo Romano, non detestabilem, non omnes tibi deos, non omnes homines, et esse inimicos,¹³ et futuros scias? At quam insolenter¹⁴ statim heluo¹⁵ invasit in ejus viri fortunas, cujus virtute terribilior erat populus Romanus exteris gentibus, justitia carior!

XXVII. In ejus igitur viri copias¹ quum se subito ingurgitasset,² exsultabat gaudio,³ persona de mimo,⁴ modo egens, repente dives. Sed, ut est apud poëtam nescio quem,⁵ 'male parta male dilabuntur.' Incredibile ac simile portenti est, quonam modo illa tam multa, quam paucis, non dico mensibus, sed diebus effuderit. Maximus vini numerus⁶ fuit, permagnum optimi pondus argenti,⁷ pretiosa vestis,⁸ multa et lauta supellex, et magnifica multis locis, non illa quidem luxuriosi hominis, sed tamen abundantis. Horum paucis diebus nihil erat. Quæ Charybdis⁹ tam vorax?

12. *Istoloco natus*] Either as being the descendant of a noble family, which he would disgrace by purchasing confiscated property; or the son of M. Antony Creticus, where prodigality had caused his own estate to be sold; consequently Antony might have kept aloof from auctions.

13. *Deos, &c. inimicos*] Cic. had said before, 'diis hominibusque hostis;' referring to the guilt, now he says, 'deos, &c., inimicos,' to shew the vengeance that awaited him.

14. *Insolenter*] i. e. 'Intemperanter,' not 'superbe.' So Or. 52. 'Gorgias his festivitibus insolentius abutitur, quas Isocrates moderatius temperavit.'

15. *Heluo*] Ab 'eluendo' dictus est is qui bona sua immoderate consumit; et aspiratur ut aviditas magis comprobetur. *Fest.*

SECT. XXVII.—1. *Copias*] 'Ops,' an old adj. signifying 'opulentus,' of which it is the root, is still retained in 'inops.' Compounded with *con* or *co* it gave *cops*; also, an old

adj. found in Plautus, and hence 'copia.'

2. *Ingurgit.*] 'Gurges,' 'vorago.' This word conveys the double meaning of the wealth of Pompey, and the insatiableness of Antony.

3. *Exsultabat gaudio*] Danced with joy.

4. *Persona de mimo*] 'Persona,' opposed to 'viri,' preceding—an actor, representing at one time, e. g. a king, at another, a beggar. So Manut.; but, perhaps, the various turns of fortune in the characters represented in plays may be alluded to.

5. *Nescio quem*] Nævius. It was thought dignified in the orator to conceal the name of the poet. Plaut. Pœn. 'Male partum, male disperit.'

6. *Vini numerus*] So Hirt. B. A. 'Magno invento hordei, olei, vini, fici numero.'

7. *Argenti*] Plate. Hor. Carm. iv. 9. 'Ridet argento domus.'

8. *Pretiosa vestis*] Hor. Ep. i. 18. 32. 'Vestimenta dabat pretiosa.'

9. *Charybdis*] Charybdis is a whirl-

Charybdis dico? quæ si fuit,¹⁰ fuit animal unum: Oceanus, medius fidius,¹¹ vix videtur tot res, tam dissipatas, tam distantibus in locis positas,¹² tam cito absorbere potuisse. Nihil erat¹³ clausum, nihil obsignatum, nihil scriptum. Apothecæ¹⁴ totæ nequissimis condonabantur. Alia mimi rapiebant, alia mimæ: domus erat aleatoribus referta, plena eborum: totos dies potabatur, atque id locis pluribus: suggerbantur etiam sæpe (non enim semper iste felix) damna aleatoria. Conchyliatis¹⁵ Cn. Pompeii peristromatis¹⁶ servorum in cellis lectos stratos videres. Quamobrem desinite mirari, hæc tam celeriter esse consumpta. Non modo unius patrimonium, quamvis amplum, ut illud fuit, sed urbes et regna celeriter tanta nequitia devorare potuisset. At idem ædes¹⁷ etiam et hortos. O audaciam immanem! tu etiam ingredi illam domum ausus es? tu illud sanctissimum limen¹⁸ intrare? tu illarum ædium diis penatibus os¹⁹ impurissimum ostendere? Quam domum aliquamdiu nemo adspi-

pool in the gulf of Messina, now called Cariddi, Galofaro; perhaps from *χάω*, hisco, and *ρύβδην*, vehementer.

10. *Quæ si fuit*] i. e. If it were agreeably to the fable—as it is not.—Servius says that Charybdis was a courtesan who stole some of Hercules's herd, and being thrown into that sea, treats ships and sailors as she used to do her lovers. Quint. viii. 6. Seneca truly remarks of Hyperbole: 'Incredibilia affirmat ut ad credibilia perveniat;' for here the imagination, assisted by the images of a Charybdis and Ocean, comes to conceive how Pompey's property was so soon consumed.

11. *Medius fidius*] This strengthens the hyperbole; and, lest it should appear too far stretched, he qualifies it with *vir*. Mil. 28. n. 10.

12. *Tam—positas*] This, if not a gloss on 'dissipatas,' is an oratorical amplification.

13. *Nihil erat*] There were three methods of securing property, 'sera, sigillo, inscribendo.' Antony despised them all. 'Scriptum' for 'inscrip-

tum;' i. e. marked down in an inventory.

14. *Apothecæ*] New wine was kept in casks in cellars under the ground; the old and best wine was preserved in amphoræ, and the stores were generally in the upper part of the house. Hence Hor. Carm. iii. 21, bids the 'pia testa Descende, Corvino jubente:' and again, 'Parcis deripere horreo cessantem Bibuli consulis amphoram.'

15. *Conchyliatis*] From 'concha,' a shell-fish, a species of murex. The colour was not purple, but a deep violet.

16. *Peristromatis*] *Περί—στρω-νύμι*. The abl. plur. in *is* for *ibus*. So Plaut. 'Lectum, inquit, est in poematis.' Priscian says that the old nom. was in *atum*.

17. *At idem ædes*] i. e. 'Tenet ædes, &c.' Al. *ejusdem*.

18. *Sanctiss. limen*] So called, says Abram., because it was under the care of the god Limentinus, which St. Augustin testifies. Græv., however, thinks that it refers to the sanctity of the former possessor, Pompey.

19. *Os*] Deiot. 2. n. 22.

cere poterat, nemo sine lacrimis præterire, hac te in domo tamdiu deversari²⁰ non pudet? in qua, quamvis nihil sapias, tamen nihil tibi potest esse jucundum.

XXVIII. An tu, illa in vestibulo¹ rostra, spolia² quum adspexisti, domum tuam te introire putas? Fieri non potest. Quamvis enim sine mente, sine sensu sis, ut es: tamen et te, et tua,³ et tuos nosti. Nec vero te unquam, neque vigilantem, neque in somnis credo posse mente consistere. Necesse est, quamvis sis, ut es, vinolentus et furens, quum tibi objecta sit species singularis viri, perterritum te de somno excitari, furerere etiam sæpe vigilantem. Me quidem miseret parietum ipsorum atque tectorum. Quid enim unquam domus illa viderat, nisi pudicum, quid, nisi ex optimo more et sanctissima disciplina? Fuit enim ille vir, Patres conscripti, sicut scitis, quum foris clarus, tum domi admirandus, neque rebus externis magis laudandus, quam institutis domesticis: hujus in sedibus pro cubiculis stabula,⁴ pro tricliniis⁵ popinæ⁶ sunt. Etsi jam negat. Nolite, nolite quærere. Frugi factus est. Illam suam suas res sibi habere⁷ jussit, ex duodecim tabulis: claves ademit,⁸ exegit. Quam porro spectatus civis, quam probatus! cujus ex omni vita nihil est honestius, quam quod cum mima fecit divortium. At quam crebro usurpat,

20. *Deversari*] To use as a temporary residence, which is applicable to Antony, whose house was now claimed by Sex. Pompey.

SECT. XXVIII.—1. *Vestib.*] Mil. 7. n. 16.

2. *Rostra, spolia*] A copulative is wanting here. Grævius inserts, *an*. *Rostrum*, is properly the beak of a bird, next the prow of a ship, made into that shape, and usually covered with brass. These it was usual for naval victors to strip from the ships and fix by way of trophy in their halls or vestibules. Pompey, we know, had conquered the pirates. The Greeks call it ἀκρωτηριάζεσθαι. Plin. xxxv. 2, asserts that they could not be removed by the subsequent purchaser of a mansion, perhaps because they were dedicated to the penates. This may account for their still remaining in Pompey's house.

3. *Et te, et tua, &c.*] Therefore are

in no danger of mistaking them, covered with infamy as they are, for Pompey and Pompey's concerns.

4. *Stabula*] 'Loca nequitiae,' from 'stare,' i. e. 'prostare.'

5. *Tricliniis*] Τρεῖς—κλίνη, a couch for three persons. Hence the room where such couches were laid, a dining room. So Cic. Att. xiii. 'Villa ita completa militibus est ut vix triclinium ubi cœnaturus ipse Cæsar esset, vacaret.'

6. *Popinæ*] Mil. 24. n. 14. Gormandizers repaired here, not for refreshment, but intemperate indulgence.

7. *Suas res sibi habere*] The formal words on a divorce. 'Veterem Procula maritum Deseris, atque jubes res sibi habere suas.' Mart. x. 41. Cicero means here, probably, merely a pleasantry. Antony had never married Cytheris. V. E.

8. *Claves ademit*] These were gi-

'et consul, et Antonius!'⁹ Hoc est dicere, et consul, et impudicissimus: et consul, et homo nequissimus. Quid est enim aliud Antonius? Nam si dignitas significaretur in nomine; dixisset aliquando, credo, avus¹⁰ tuus se et consulem et Antonium. Nunquam dixit. Dixisset etiam collega meus, patruus tuus. Nisi tu es solus Antonius. Sed omitto ea peccata,¹¹ quæ non sunt earum partium¹² propria, quibus tu rempublicam vexavisti: ad ipsas tuas partes redeo, id est, ad civile bellum: quod natum, conflatum, susceptum opera tua¹³ est.

XXIX. Cui bello,¹ quum propter timiditatem² tuam, tum propter libidines defuisti. Gustaras civilem sanguinem, vel potius exsorbueras; fueras in acie Pharsalica antesignanus;³ L. Domitium,⁴ clarissimum et nobilissimum virum,

ven to the matron on entering the mansion of the husband; and were taken away from her at her departure.

9. *Et consul, et Antonius*] Having stated the prodigality of Antony, Cic. proceeds to notice his weak vanity. Conceiving his name, when connected with 'consul,' to be sunk into a mere epithet, he had it separated in the public acts, thus rendering it emphatic, and restoring the 'dignitas in nomine.' This 'dignity,' however, no other Antony had ever thought of.

10. *Avus*] M. Antonius, the orator.

11. *Ea peccata*] e. g. The foolish vanity of 'et consul et Antonius.'

12. *Earum partium*] Cæsar's. *Maut.*; but it means the part which Antony acted, as appears by Cicero's own explanation.

13. *Quod natum—opera tua*] Hence he justly calls it 'ipsas tuas partes.'

SECT. XXIX.—1. *Cui bello*] Not the whole civil war, for a considerable part of it was already over, of which Antony 'pars magna fuit;' but that part of it usually called the African war, wherein Cæsar fought with and conquered Scipio, Cato, and Juba, king of Mauritania.

2. *Propter timiditatem*] Though it is probable that Antony remained in

Italy by Cæsar's orders, when he pursued Pompey to Egypt; and that during the Alexandrian and Pontic war, he was supporting the cause of Cæsar at home, yet Cic. grounds on it a charge of cowardice, as likely to wound the feelings of a soldier. It is likely, however, that there was a certain estrangement between them at this time; perhaps because Cæsar countenanced Dolabella, with whom Antony was then at variance, or found reason to dislike the excesses of Antony. This is certain, that he appointed Calenus and Vatinius, consuls for the remaining three months of this year, and took Lepidus as his colleague and master of the horse for the ensuing. Antony now became the purchaser of Pompey's house and estate, which may account for the words 'propter libidines defuisti.'—Antony staid at home to enjoy them.

3. *Antesignanus*] *Πρόμαχος*. Plutarch says that Cæsar, by taking the right wing at Pharsalia, judged himself the first, and by stationing Antony on the left wing, judged him the second general. *Abram.*

4. *L. Domitium*] Supr. 11. n. 12. Cæsar's account differs. (B. C. iii. 81.) He says that Domitius, having fled from the camp towards the mountains, was killed by the cavalry.

occideras ; multos, qui e prælio effugerant, quos Cæsar, ut nonnullos, fortasse servasset,⁵ crudelissime persecutus trucidaras. Quibus rebus tantis talibus⁶ gestis, quid fuit causæ, cur in Africam Cæsarem non sequerere, quum præsertim⁷ belli pars tanta restaret? Itaque quem locum apud ipsum Cæsarem post ejus ex Africa reditum obtinuisti? quo numero fuisti? Cujus tu imperatoris quæstor fueras,⁸ dictatoris magister equitum, belli princeps,⁹ crudelitatis auctor, prædæ socius, testamento,¹⁰ ut dicebas ipse, filius, appellatus es¹¹ de pecunia, quam pro domo, pro hortis, pro sectione¹² debebas. Primo respondisti plane ferociter; et, ne omnia videar contra te, propemodum æqua et justa dicebas. A me C. Cæsar pecuniam? cur potius, quam ego ab illo? an sine me ille vicit? At ne potuit quidem. Ego ad illum belli civilis causam attuli; ego leges perniciosas¹³ rogavi; ego arma contra consules imperatoresque populi Romani, contra senatum populumque Romanum, contra deos patrios, arasque et focos, contra patriam tuli. Num sibi soli vicit? Quorum facinus est commune, cur non sit eorum præda communis? Jus postulabas: sed quid ad rem? Plus ille poterat. Itaque, excussis tuis vocibus,¹⁴ et ad te, et ad prædes¹⁵ tuos milites¹⁵ misit: quum repente a te præclara illa

5. *Quos Cæsar—servasset*] Cæsar's cry at the battle of Pharsalia, was to spare his fellow-citizens; and after it, 'neminem nisi armatum occidi.' Ligar. 6.

6. *Tantis talibus*] This must be considered ironical.

7. *Quum præsertim*] Supr. 24. n. 17.

8. *Quæstor fueras*] Supr. 20. 'Quæstor es factus.' There was the strictest tie of friendship between the quæstor and general; and likewise between the dictator and his master of the horse. This latter is not extraordinary, as they often mutually appointed each other.

9. *Belli princeps*] Supr. 22. 'Ut igitur in seminibus est causa, &c.'

10. *Testamento*] According to Dio, xliv. Antony was named among the second heirs of Cæsar.

11. *Appellatus es*] Sued, dunned,

a technical word in use among creditors, because debts were called *nomina*. Columella used to say, 'bona nomina fieri mala, si nunquam appelles.'

12. *Sectione*] Here, 'the property sold or prescribed.' Sup. 15. n. 16.

13. *Leges perniciosas*] What these laws were does not appear, unless certain decrees of the people in favour of Cæsar are alluded to. Supr. 22. Plut. 5.

14. *Excussis—vocibus*] Not 'examined,' as the Delph., though the word sometimes has that meaning; but 'having compelled you to lay aside your blustering.' Vid. Forcel. Lex.

15. *Prædes tuos*] 'Præs' from 'præstare,' is applied to bail in property cases; 'vades' in criminal. Thus Auson. 'quis subit in pœnam capitalis judicii? Vas. Quis cum lis fuerit nummaria? Præs.'

tabula¹⁶ prolata. Qui risus hominum! tantam esse tabulam, tam varias, tam multas possessiones, ex quibus, præter partem Miseni,¹⁷ nihil erat, quod is, qui auctionaretur,¹⁸ posset suum dicere. Auctionis¹⁹ vero miserabilis adspectus: vestis²⁰ Pompeii non multa, eaque maculosa; ejusdem quædam argentea vasa collisa; sordidata²¹ mancipia: ut doleremus quidquam esse ex illis reliquiis, quod videre possemus. Hanc tamen auctionem heredes L. Rubrii²² decreto Cæsaris prohibuerunt. Hærebat nebulo:²³ quo se verteret, non habebat. Quin his ipsis temporibus domi Cæsaris percussor, ab isto missus, deprehensus dicebatur esse cum sica. De quo Cæsar in senatu, aperte in te invehens, questus est. Proficiscitur in Hispaniam²⁴ Cæsar, paucis tibi ad solvendum propter inopiam tuam prorogatis diebus. Ne tum²⁵ quidem

15. *Milites*] Other men, he hints, would have employed *civil* officers. Plancus, the tribune, acted as sheriff. Inf. 31.

16. *Tabula*] This advertisement or inventory of property was sometimes called 'libelli.' Quint. 15. 'de quo, *libelli* in celeberrimis locis proponuntur.' 'Præclara' contains an ironical allusion to the contrast between this catalogue and what Antony's ought to be, and Pompey's was.

17. *Partem Miseni*] Supr. 19. n. 14.

18. *Qui auctionaretur*] i. e. Antony.

19. *Auctionis vero*] 'Auctio est venditio quædam in publico ac celebri loco.' *Vulla*; obviously from 'augere.' Compare the description here with c. 27, and observe how every word is adapted to throw contempt on the scene, 'maculosa, collisa, sordidata.'

20. *Vestis*] Intell. vestem tricliniarem, peristromata quibus lecti strati. Ea a servis maculata erat, qui iis erant usi, ut supradictum. *Ern.*

21. *Sordidata*] 'Sordidus' natura vel institutione, 'sordidatus,' necessitate. Terent. Heaut. ii. 3. 56. 'Sordidata' therefore, as conveying a

censure on Antony, is obviously a better reading than Ern. *sordida*.

22. *Heredes L. Rubrii*] No doubt the inventory contained property to which they could lay claim. Cæsar's interfering, by a decree, shews his usurpation of supreme power did not make him forget the claims of justice.

23. *Nebulo*] Fest. 'Nebulo est qui non pluris est quam *nebula*, aut qui non facile perspicitur qualis sit.' 'Hærebat,' as having no means left of raising the sum due.

24. *Proficiscitur in Hispaniam*] The second time. Supr. 23. n. 10.

25. *Ne tum quidem sequeris*] *Tum* must not be referred to the preceding 'paucis prorogatis diebus,' which would rather be a reason why Antony should not follow him at all; but to 'proficiscitur in Hispaniam.' He had said above, 'cur in Africam Cæsarem non sequerere?' well; let that pass. He sets out for Spain. You do not *even then* follow him. Did so excellent a gladiator as you, so soon receive the foil? i. e. How came you, who began the civil war, and spilled so much blood, to obtain your discharge so soon?

sequeris. Tam bonus gladiator rudem tam cito²⁶ accepisti? Hunc igitur quisquam, qui in suis partibus,²⁷ id est, in suis fortunis, tam timidus fuerit, pertimescat?

XXX. Profectus est¹ aliquando tandem in Hispaniam: sed tuto, ut ait, pervenire non potuit. Quonam modo igitur Dolabella pervenit? Aut non suscipienda fuit ista causa,² Antoni, aut, quum suscepisses, defendenda usque ad extremum. Ter depugnavit³ Cæsar cum civibus, in Thessalia, Africa, Hispania. Omnibus adfuit his pugnis Dolabella: in Hispaniensi etiam vulnus accepit. Si de meo iudicio⁴ quæris: nollem. Sed tamen⁵ consilium a primo reprehendendum, laudanda constantia. Tu vero quid es? Cn. Pompeii liberi primum patriam repetebant. Esto: fuerit hæc⁶ partium causa communis. Repetebant præterea deos

26. *Tam cito*] It appears from Ulpian, that there was a regular time of service, before which the gladiators could not be discharged. 'Post triennium autem rudem induere permittitur.' Hor. Epis. ii. 1.

27. *Suis partibus*] Vid. Supr. 28, n. 2, where Cic. makes 'ipsæ partes,' the civil war. So here, 'in his own proper sphere of action;' in other words, 'in what concerns his own immediate interests.' This was the war in Spain, which being waged by Pompey's sons in order to recover their paternal estates, above all others concerned Antony, the present possessor of these estates.

SECT. XXX.—1. *Profectus est*] A new proof of cowardice is adduced by Cic.: that Antony and Dolabella both set out for Spain; that the latter arrived; the former did not. Various reasons have been given by commentators for Antony's return: e. g. that the roads were beset with Pompeians; that Cæsar was reported to have been killed, &c.; but Cic. states it inf. 'ne L. Plancus prædes suos venderet.'—This, Cic. here designedly withholds, that the reader may admit his charge of cowardice.

2. *Ista causa*] Sc. Cæsaris.

3. *Ter depugnavit*] Supr. 15. n. 4. 'In Hispaniensi.' Sc. pugna.

4. *Si de meo iudicio*] Lest the senate might infer from his praises of Dolabella, that he condemned the cause of Pompey, he says 'nollem,' sc. *Dolabella affuisset*.

5. *Sed tamen*] From want of the opposition between 'nollem' and 'consilium reprehend.', which 'sed tamen' would require, we must take 'constantia laudanda' after 'sed tamen' bringing in 'cons. repreh.' parenthetically: 'But (though—'nollem'—I would oppose his fighting against his country,) yet (even admitting his line of conduct to be reprehensible,) his perseverance must claim our praise.' Vid. Mil. 13. n. 9, for a similar construction. Atticus had censured these praises of Dolabella; which Cic., however, defends (Att. xvi. 11,) as being 'bella εἰρωνεία.' If so, when was he sincere?

6. *Fuerit hac*] Sc. 'patria,' i. e. 'the demand of a restoration to their country, by Pompey's sons, concerned every member of the Cæsarian faction; and had it been limited to that, then every Cæsarian had as good a right to oppose them as you; but they demanded more—their patri-

penates,⁷ patrios, aras,⁸ focos, larem suum familiarem; in quæ tu invaseras. Hæc quum repeterent armis ii, quorum erant legibus:—etsi in rebus iniquissimis quid potest esse æqui?—tamen quem erat æquissimum, contra Cn. Pompeii liberos pugnare? quem? Te, sectorem.⁹ An tu Narbone¹⁰ mensas hospitum convomeres, Dolabella pro te in Hispania dimicaret?

Qui vero Narbone¹¹ reditus?—Etiam quærebat, cur ego¹² ex ipso cursu tam subito revertissem. Exposui nuper, Patres conscripti, causam reditus mei. Volui, si possem, etiam ante Kalendas Januarias¹³ prodesse reipublicæ. Nam, quod quærebas, quomodo redissem: primum luce,¹⁴ non tenebris; deinde cum calceis¹⁵ et toga, nullis nec Gallicis,¹⁶ nec lacerana.¹⁷ At etiam adspicis me, et quidem, ut videris, iratus.—Næ tu jam mecum in gratiam redeas, si scias, quam me pu-

mony, their house and chattels. You were, therefore, particularly called upon to oppose them. 'Partium,' then, is here limited to the party of Cæsar.

7. *Penates*] This word is not found in the Vatican MS. and is expunged by Ern. As we are not sufficiently acquainted with the meaning of the term, and it is elsewhere found in union with *patrios*, other editors retain it, which Scheller approves.—V. E.

8. *Aras*] Supposed to belong to heroes, 'altaria' to gods. But this is not always observed. Virg. Ecl. v. 66; Æn. v. 639.

9. *Sectorem*] Supr. 15. n. 16.

10. *An tu Narbone*] Al. *cum vomeris*. i. e. 'I have thus proved, that it was most equitable for you to take the field against the sons of Pompey. Did you do so? Was it for you to be rioting in Narbo, and Dolabella fighting your battles in Spain. Are you not, therefore, a coward?'

11. *Narbone*] Is emphatic. 'We have seen, supr. 25, what kind your return from Brundisium was. What then, was that from Narbo? 'Qui'

for 'qualis.'

12. *Cur ego*] Cic. returned in the latter end of August, and on the second of September, explained his reasons to the senate. Phil. i. 1, 4. Probably Antony had given a malicious interpretation to Cicero's conduct, insinuating that it was to embroil his country in war; and had asked, '*quomodo rediisset*,' meaning 'under what circumstances;' but Cic. artfully turns it off from the *cause* to the *manner*; and, by contrasting it with the return of Antony, who came by night in the rough garb of a soldier, rather than a citizen, throws on him the greater odium.

13. *Kal. Jan.*] On this day Hir-tius and Pansa were to enter on their consulship. Introd. 6.

14. *Primum luce*] This was thought reprehensible. Pis. 22. 'Nonne tibi nox erat pro die, &c.' Q. Frat. iii. 1.

15. *Calceis*] Mil. 10. n. 12.

16. *Gallicis*] A coarse shoe, worn in Gaul, (whence Antony had just returned,) and adopted by the Roman soldiers.

17. *Lacerana*] From 'lacio,' (the Greek *σύμμα*.) a great cloak, or over-

deat nequitiae tuæ, cujus te ipsum non pudet. Ex omnium omnibus flagitiis nullum turpius vidi, nullum audiui. Qui magister equitum fuisse tibi viderere,¹⁸ in proximum annum¹⁹ consulatum peteres,²⁰ vel potius rogares; is per municipia coloniasque Galliae,²¹ a qua nos tum, quum consulatus petebatur, non rogabatur, petere consulatum solebamus, cum Gallicis et lacerna cucurristi.

XXXI. At videte levitatem¹ hominis. Quum hora diei decima² fere ad Saxa rubra³ venisset, delituit⁴ in quadam cauponula, atque ibi se occultans, perpotavit ad vesperam: inde cisio⁵ celeriter ad urbem advectus, domum venit capite involuto.⁶ Janitor, "Quis tu?"—"A Marco⁶ tabellarius."⁷ Confestim ad eam,⁸ cujus causa venerat; eique epis-

all, with which the head could be covered. Hence, inf. 31, 'Capite involuto;' and Hor. Sat. ii. 7:

'Turpis adoratum caput obscurante lacerna.'

Antony had on the usual military travelling dress, and the shame was, that he did not lay it aside, while canvassing the freemen of the towns and colonies.

18. *Viderere*] For as Cæsar was not a legal dictator; so Antony could not be a master of the horse, except in his own opinion. Cic. says 'fuisse;' for it was A. U. 706, two years before, that Antony held this office.

19. *In proximum annum*] This occurred in the year 708. It shows that, however Cæsar directed the appointments of the magistrates, the usual forms were upheld, and, also, that he had early given Antony reason to expect his support, without which he would not have ventured to commence a canvass; and, therefore, all Cicero's insinuations, about Antony's having lost the favour of Cæsar, &c., were unfounded.

20. *Peteres*] Sue for an office in due form; 'rogares,' beg it, in a manner humiliating to the suitor.

21. *Municip.—Gallie*] Att. i. 1.

SECT. XXXI.—1. *Levitatem*] As

'gravitas' is said of every virtue in which there is firmness of purpose and conduct, so 'levitas' is said of every vice that, arising from ungoverned desires, is marked by a fluctuating and wayward course of action. Cat. ii. 5. n. 2.

2. *Decima*] Mil. 18. n. 11.

3. *Saxa rubra*] Near Cremera, where the Veientes were routed by the Fabii. Liv. ii. 49. As it was in the same neighbourhood that the Fabii afterwards fell, the epithet *rubra*, i. e. bloody, may have arisen from that slaughter, and Livy have applied it by 'prolepsis.'

4. *Delituit*] Antony wished to surprise Fulvia agreeably, and, therefore, waited till night. Plut. Anton. 10.

5. *Cisio*] A two-wheeled car, a calashe, used for speed. Rosc. A. 7. 'Decem nocturnis horis quinquaginta et sex mill. pass. cisii pervolavit.'

6. *A Marco*] Arch. 1. n. 5. Pers. Sat. v. 79.

7. *Tabellarius*] Properly, an adj. used absolutely for 'a courier.' The Romans employed their own couriers. Fam. xii. 12. 'Si literæ perlatae non sunt, non dubito quin Dolabella, tabellarios meosprehenderit.'

8. *Ad eam*] Sc. Fulviam, whom

tolam tradidit. Quam quum illa legeret flens, (erat enim scripta amatorie; caput autem literarum, sibi cum illa mima⁹ posthac nihil futurum: omnem se amorem abjecisse illim,¹⁰ atque in hanc transfudisse :) quum mulier fleret uberior, homo misericors ferre non potuit; caput aperuit; in collum invasit. O hominem nequam! (quid enim aliud dicam? magis proprie nihil possum dicere :) ergo, ut te catamitum,¹¹ nec opinato¹² quum ostendisses, præter spem mulier adspiceret, idcirco urbem terrore nocturno,¹³ Italiam multorum dierum metu perturbasti? Et domi quidem causam amoris habuit; foris etiam turpiorem, ne L. Plancus prædes suos venderet.¹⁴ Productus autem¹⁵ in concionem a tribuno plebis, quum respondisses, te rei tuæ¹⁶ causa venisse, populum etiam dicacem in te reddidisti. Sed nimis multa de nugis.¹⁷ Ad majora veniamus.

XXXII. Cæsari ex Hispania redeunti obviam longissime processisti. Celeriter isti, redisti,¹ ut cognosceret te, si minus fortem, attamen strenuum.² Factus es ei rursus, nescio

Antony had now married. Al. insert *deducitur*, after 'venerat.'

9. *Illu mima*] Cytheris.

10. *Illim*] Al. *illinc*. Att. vii.

31. *V. E.*

11. *Catamitum*] i. e. Ganymedes, as corrupted by the Latins. *Fest.*; or from *κατὰ, μίσθος*, 'puer meritorius.'

12. *Nec opinato*] So Tibul. i. 3:

'Tunc veniam subito nec quisquam nunciet ante;

Sed videar cælo missus adesse tibi.'

13. *Terrore nocturno*] 'Nocturnal,' because Antony came by night. The Pompeians were afraid that Cæsar had been victorious, and sent Antony to renew the horrors of Marius and Sylla. Middl. L. C. vii. Plut. Anton. 10, gives a different, but improbable account.

14. *Prædes—venderet*] In law this would be understood literally; for debtors were liable to be sold as slaves. Sup. 18. n. 15, but here perhaps, 'prædes' is put for 'prædia,' the property of the 'prædes.' Verr. iii. 54. 'Prædibus et prædiis populo cautum est.'

15. *Productus autem*] Manil. I. n. 4.

16. *Rei tuæ*] This, it appears, had a double meaning, which excited the pleasantry of the people. Vid. Bayle, art. Lycoris.

17. *Nugis*] i. e. 'Nequitia, levitate;' but 'majora,' the consulship.

SECT. XXXII.—1. *Isti, redisti*] Antony set out for Spain; stopped at Narbo; returned, 'rei suæ causa;' set out again; not to assist, but meet Cæsar. On this occasion, too, he reached Narbo, as it was then Trebonius sounded him respecting the conspiracy against Cæsar. Sup. 14. n. 5. As 'celeriter' can hardly apply to his first journey, we may suppose 'isti, redisti,' to mean his journey from Narbo, (which we know was expeditiously performed in a two-wheeled chaise,) and back again from Rome.

2. *Strenuum*] A good traveller.—Att. xv. 6. 'Noli autem me tam strenuum putare ut ante Nonas recurram.'

quomodo,³ familiaris. Habebat hoc omnino Cæsar:⁴ quem plane perditum ære alieno egentemque, si eundem nequam hominem audacemque cognorat, hunc in familiaritatem libentissime recipiebat. His igitur rebus⁵ præclare commendatus, jussus es renuntiari consul, et quidem cum ipso. Nihil queror⁶ de Dolabella, qui tum est impulsus, inductus, elusus. Qua in re quanta fuerit uterque vestrûm perfidia in Dolabellam, quis ignorat? Ille induxit, ut peteret; promissum et receptum intervertit, ad seque transtulit: tu ejus perfidiæ voluntatem tuam adscripsisti. Veniunt Kalendæ Januariæ;⁷ cogimur in senatum; invectus est copiosius multo in istum⁸ et paratius Dolabella, quam nunc ego. Hic autem iratus quæ dixit,⁹ dii boni! Primum quum Cæsar ostendisset, se, priusquam proficisceretur,¹⁰ Dolabellam consulem esse jussurum:¹¹ (quem negant regem, qui et faceret

3. *Factus es—nescio quomodo*] Cæsar took Antony into his own chariot, while D. Brutus and Octavius followed behind. Plut. Anton. 11. The Delph. makes this the time when Antony canvassed for the consulship. But then, 'qui Narbone reditus,' sup. 30, would be the *second* return; which it evidently was not. The canvassing, then, obviously took place when Cæsar was in Spain.

4. *Habebat—Cæsar*] 'This was Cæsar's way;' and, it may be added, that he found it very successful with Cic. himself, with whom, about this time, he kept up a friendly correspondence.

5. *His igitur rebus*] Sc. 'ære alieno, &c.;' and 'jussus es,' Cæsar being a tyrant.

6. *Nihil queror*] Cæsar did not *deceive* by appointing Antony, but by becoming his colleague ('et quidem cum ipso.') For, contented with the dictatorship, he had, on his return, appointed Q. Fabius and C. Trebonius, consuls for the remainder of the year; and Fabius dying on the last day of his consulship, he nominated Caninius Rebilus. This, while it afforded a jest to Cic. and his friends, shews that Cæsar had no anxiety about holding the office himself; and,

consequently, that the violation of his promise to Dolabella arose from other causes than ambition. Cæsar, however, made good his promise to Dolabella, Antony persisting in his opposition till Cæsar's death. Introd. 1.

7. *Kalend. Jan.*] The consuls usually entered on their office this day; the tribunes, twenty-one days earlier. It was distinguished by sacrifices, manumission of slaves, &c.; and was expected to be free from all invective orations. Ovid. Fast. i. 73. 'Lite vacent aures, insanaque protinus absint Jurgia; differ opus, livida lingua, tuum.'

8. *In istum*] For he did not venture to attack Cæsar.

9. *Quæ dixit*] Plutarch says, that even Cæsar was ashamed of the display made by his colleague.

10. *Priusquam proficisceretur*] Sc. to the Parthian war. Cæsar's plan discovered the same greatness which marked all his designs. He was first to subjugate the Dacians; then invade Parthia; then, passing along the Pontus into Scythia, to traverse all Germany, and return by Gaul to Italy. Sueton. 44. Plut. Jul. 58.

11. *Jussurum*] Supr. n. 5. Sueton. Jul. 41, says, that he divided with

semper ejusmodi aliquid, et diceret :) sed quum Cæsar ita dixisset ; tum hic bonus augur, eo se sacerdotio præditum esse dixit, ut comitia auspiciis vel impedire vel vitare¹² posset, idque se facturum esse asseveravit. In quo primum¹³ incredibilem stupiditatem hominis cognoscite. Quid enim ? istud, quod te sacerdotii jure facere posse dixisti,¹⁴ si augur non esses, et consul esses, minus facere potuisses ? Vide ne etiam facilius. Nos enim nuntiationem¹⁵ solum habemus : consules et reliqui magistratus etiam spectionem. Esto : hoc imperite ; nec enim est ab homine nunquam so-

the people all the magisterial appointments, except the consuls, whom he nominated himself.

12. *Impedire—vitare*] The first is—to prevent from taking place ; the second, to render null through informality.

13. *In quo primum, &c.*] Cicero's charge against Antony consists of two heads, 'ignorance' and 'impudence.' His ignorance was two-fold : 1. In laying that on the augurship which did not belong to it ; 2. In not laying it on his consular authority, to which it did belong.

14. *Quod—posse dixisti*] Observe, he says, 'posse dixisti,' not 'potuisti ;' for, in point of fact, Antony, as augur, could not have done so ; but, even supposing that he could, why not derive his authority from the highest source ? The answer is, 'ignorance' prevented him. He was not a man to spend time in studying the musty rules of an augural college.

15. *Nos enim nuntiationem*] Scaliger, on the authority of a corrupt passage in Festus, decides that 'spectio' and 'nuntiatio' are here, by mistake, interchanged. But as there are examples of augurs exercising 'nuntiatio,' this cannot be true. Besides, the only advantage arising from the change is, that it attributes 'spectio' to augurs ; which, it is probable, from the nature of the case, that they once had, though not now, at least in the sense of Cic.

Indeed 'spectio' affords an instance of a word assuming, in process of time, a restricted from a general meaning ; a thing perpetually occurring in different arts, where technicalities abound. [So in ecclesiastical history *ἐπισκόπος*.] Thus 'spectio,' from signifying the viewing of the heavens for omens, whether by the people, by the augur, or by the magistrate, came to be restricted to 'that voluntary observation of the heavens (servare de cælo) which the magistrate (or the augur, under the direction of the magistrate) makes, or thinks proper to say he makes ; generally with a view of impeding elections or other public business.' This meaning of 'spectio,' while it suits the passage here, leaves 'nuntiatio,' the bare declaration of the omens, to the augurs.—Cicero's pompous account of the 'jus augurum,' Legg. ii. 12, must not be taken strictly, i. e. he there attributes to their authority, what they did as magistrates, or in attendance on the regular magistrates ; to whose wishes, no doubt, the omens learned to bend. For this attendance there was a form, 'Quinte Fabi, te mihi in auspicio volo ;' and we find in another old form the word which 'spectio' came to supersede, Legg. iii. 3. 'Reliqui magistratus auspiciū judiciumque habento.' What stupidity, then, in Antony, not to know this technical meaning of 'spectio,' and, in right of

brio postulanda prudentia : sed videte impudentiam.¹⁶ Multis ante mensibus¹⁷ in senatu dixit, se Dolabellæ comitia aut prohibiturum auspiciis, aut id facturum esse, quod fecit.— Quisquamne¹⁸ divinare potest, quid vitii in auspiciis futurum sit, nisi qui de cælo servare constituit? quod neque licet¹⁹ comitiis per leges, et, si qui servavit, non comitiis habitis, sed priusquam habeantur, debet nuntiare. Verum implicata inscientia impudentia est; nec scit quod augurem, nec facit

his consulship, at once to impede the election?

16. *Sed videte impudentiam*] Let us consider here, how a *modest* man ought to have acted. 1. Supposing him of equal (or higher) rank with the magistrate who was to preside, he would have noticed him, that it was his intention to take auguries on a certain day, 'de cælo servare constituit,' the technical term for which was 'spectio.' So Bibulus acted. Supr. 10. n. 1. So did Mil. Att. iv. 3. 2. A *modest* man would have avoided taking the omens on the day of election, as it was forbidden by the Clodian law. 3. If he had observed the heavens before the day of election, he would have also announced the result *before* that day.—But how did Antony proceed? When he was only an augur, or acting as augur, (eo sacerdotio præditus), and not as consul, and an equal in rank with the presiding officer, Cæsar; nor as possessing 'spectio,' he declared, not by sending a notice to the magistrate—but openly in the senate; not a few days, but many months before the election; that *he* would either impede that election, or would procure an adjournment by saying ALIO DIE. Cic. acknowledges that a good deal of this arose from Antony's *ignorance*, which he says was blended with his *impudence*; but the latter part of the assertion (facturum esse quod fecit) seems, from what follows, to have been the main ground of the charge of impudence; for when Antony did

use the expression, Cic. exclaims 'O impudentiam singularem!' and again, 'confitere te, cum ALIO DIE dixeris, sobrium non fuisse.'

17. *Multis ante mensibus*] As only *two* months intervened between the scene in the senate and the death of Cæsar, how could *many* months elapse between that scene and the election? Perhaps Antony had made a similar declaration to Cæsar, on his first proposing Dolabella, after his return from Spain, of which 'tum hic bonus augur, &c.' is only a repetition.

18. *Quisquamne, &c.*] The answer is—no. The person who had determined to observe the heavens, or exercise *inspection*, was the only one that had the gift of divination; for, though at first the magistrate was obliged to see, or pretend to see, an unfavourable omen, such was not now the case, it being only necessary to declare beforehand the intention of *inspecting*, and the required omen so surely followed, that this bare declaration was quite enough to prevent any magistrate (of equal or inferior rank) from proceeding to the *comitium*. Vatin. 6—8.

19. *Quod neque licet*] The above form of inspection, first ratified by the Ælian and Fusian laws, and designed to prevent the tribunes from passing laws at pleasure, leaving, as it did, the popular assemblies completely in the power of the magistrates, must have caused much inconvenience. We are not, therefore, surprised at the *two* checks which are here noticed. The

quod pudentem decet. Atque ex illo die²⁰ recordamini ejus usque ad Idus Martias consulatum. Qui unquam apparitor tam humilis, tam abjectus? Nihil ipse poterat;²¹ omnia rogabat; caput in aversam lecticam inserens, beneficia, quæ venderet, a collega petebat.

XXXIII. Ecce Dolabellæ comitiorum dies;¹ sortitio prærogativæ:² quiescit. Renuntiatur:³ tacet. Prima classis vocatur; renuntiatur; deinde, ut assolet, suffragia;⁴ tum

first, ('quod neque licet comitiis,') originated with Clodius, who enacted, (Sext. 15,) that the Ælian and Fustian laws should not be in force at the comitia. The second ('siqui serv., &c., nuntiare,') was, that the magistrate should give due notice of his intention to *inspect, before* the election. '*Leges,*' is here used for '*legem,*' as Cic. did not choose to specify the law by the enactor's name, Clodius; and '*habitis*' held, being over. Legg. ii. 12. '*Vel instituta, dimittere, vel habita rescindere.*'

20. *Ex illo die*] Antony's character, as drawn by Cicero, is quite an enigma. Thus he insulted Cæsar on the day of his election, and from that to the Ides of March, fawned on him like the meanest slave; and yet, on the day of Dolabella's election, which occurred in the mean time, he had the hardihood to cry out, at the conclusion of the business, *ALIO DIE!*

21. *Nihil ipse poterat*] i. e. Although a consul as well as Cæsar.

SECT. XXXIII.—1. *Dies*] What day this was does not appear. The election was usually held about the beginning of August, but Cæsar could not observe these forms. We are only sure that it was between the Calends of Jan. and Ides of March.

2. *Sortitio prærog.*] The first step previous to the commencement of the polling. '*Sortitio*' must not be confounded with the *voting* of the prerogative century, which, in Cicero's brief description, is omitted, and the result, '*renuntiatur, sc. Dolabella,*'

given. This vote of the prerogative century is called '*omen comitiorum,*' (Divin. ii. 20,) and so certain was it, '*ut nemo unquam prior eam tulerit quin renunciatur.*' Planc. 20.—Hence our meaning of *prærogative*. When '*prærogativa tribus*' occurs, it is likely that there is a reference either to the *tribe* of which the century formed a part, or to the *comitia by tribes*. The other centuries (or tribes) are called by Livy (x. 22,) '*primo vocatæ,*' and, xxvii. 6, '*jure vocatæ.*' It appears, too, that the same class had senior and junior centuries. Verr. v. 15.

3. *Renuntiatur*] Either by the magistrate who held the election, or by the herald. Mil. 35. n. 13. Verr. v. 15.

4. *Deinde—suffragia*] *Sc. ferentur*; i. e. the polling proceeds as usual. But this, which is the obvious meaning of the words, makes the *declaration* of the vote *precede* the voting, which is absurd. This difficulty is avoided several ways: 1. The whole is so briefly detailed that it is not to be wondered at, if we do not see the force of every expression. 2. Gruch. (de comitiis) refers these words to a scrutiny of the votes of the first class (taking in the equites and prerogative century) to ascertain whether it would be necessary to call up the second class, since, if the first class were unanimous, its votes (exceeding those of all the other classes, by one) decided the election. Hence he would understand '*numerantur,*'

secunda classis : quæ omnia sunt citius facta,⁵ quam dixi. Confecto negotio bonus augur⁷ (C. Lælium diceret) "alio die,"⁸ inquit. O impudentiam singularem ! Quid videras ?⁹ quid senseras ? quid audieras ? neque enim te de cælo servasse dixisti, nec hodie dicis. Id igitur obvenit vitium, quod tu jam Kalendis Januariis futurum esse provideras, et tanto ante prædixeras. Ergo, hercule, magna, ut spero, tua¹⁰ potius, quam reipublicæ calamitate ementitus es auspicia ; obstrinxisti¹¹ religione populum Romanum ; augur auguri, consul consuli¹² obnuntiasti. Nolo plura,¹³ ne acta

or the like, after suffragia.' 3. Græv. reads 'deinde suffragatum secunda classis vocatur ;' to which the objection is, that 'suffragari' always signifies 'gratia adjuvare et commendare.' 4. Manut. would transpose the words so as to bring them in after 'tum secunda classis ;' which, if warranted by MSS., appears most satisfactory.

5. *Citius facta*] Hence the brevity of Cicero's description. The expedition may have arisen from there being no competitor.

7. *Bonus augur*] Ironical. Lælius was very celebrated as an augur, but more so as a wise man. Legg. ii. 11. Hor. Sat. ii. 1. 72.

8. *Alio die*] Verba auguris. Legg. ii. 12.

9. *Quid videras, &c.*] As Antony, through ignorance, did not say that he had observed the heavens, 'nec enim te de cælo servasse dixisti,' the only other ground on which he could have vitiated the election was, inauspicious omens happening while it was proceeding. These generally were, lightning, storms of rain, and thunder. Now these occurring, would have entitled Antony to cry, *ALIO DIE*. So Phil. v. 3. 'Illa auspicia non egent interpretatione ;' and, Vatin. 8. 'Augures omnes usque a Romulo decreverunt, Jove fulgente, cum populo agi nefas esse.' Again, Phil. v. 3. 'Ut sustinere Antonium ac ferre posse tantam vim tempestatis, imbris ac tur-

binum, mirum videretur.' The expression, 'quid senseras ?' which the commentators refer to an earthquake, is obviously applicable to 'vim tempestatis, imbris ac turbinum.' But the weather being fine, and none of these omens intervening, Antony was obliged to have recourse to pretended omens. Hence, 'ementitus es auspicia,' *infr.*

10. *Magna, ut spero tua, &c.*] Falsifying the auspices must call down the vengeance of heaven. Cic. hopes that it will light on the head of the offender, rather than on the republic.

11. *Obstrinxisti*] 'Religio' is here, 'a religious scruple, a conscientious dread of the gods being offended.' Liv. viii. 17. The sense is : 'You who were the equal of Cæsar, as augur and consul, and might be supposed to know the duties of your station, declared an election vicious, which your colleague pronounced valid. You, thereby inspired the Roman people with the dread of the Deity being offended, since, let who may be in error, the auspices were profaned.'

12. *Consul consuli*] Gellius quotes from Messala, an old writer on augury, to show that consuls, prætors, and censors were considered '*maiores magistratus*'—all others, '*minores*.' Hence the form in the edict for holding the comit. centur. 'Nequis magistratus minor de cælo servasse ve-

Dolabellæ videar convellere : quæ necesse est aliquando¹⁴ ad nostrum collegium deferantur. Sed arrogantiam¹⁵ hominis insolentiamque cognoscite. Quamdiu tu voles, vitiosus consul Dolabella : rursus, quum voles, salvis auspiciis creatus. Si nihil est,¹⁶ quum augur iis verbis nuntiat, quibus tu nuntiasti; confitere te, quum " alio die " dixeris, sobrium non fuisse : sin est aliqua vis in istis verbis, ea quæ sit, augur a collega requiro.

Sed, ne forte, ex multis rebus gestis, M. Antonii rem unam pulcherrimam transiliat oratio, ad Lupercalia veniamus.¹⁷

XXXIV. Non dissimulat, Patres conscripti: apparet esse commotum; sudat, pallet.¹ Quidlibet, modo ne nauseet,²

lit.' Messala adds, 'consul ab omnibus magistratibus et comitiatum et concionem advocare potest; prætor et comitiatum et concionem usquequaque advocare potest; nisi a consule; minores magist. nec comitiatum nec concionem advocare possunt.' Antony, therefore, being of equal rank with Cæsar, and therefore, empowered to *intercede*, the very validity of the *intercession* caused it to be the more dreaded.

13. *Nolo plura*] For, if Antony's interference were legal, Dolabella was an illegal consul, and therefore his acts were illegal; but some of these were such as Cic. would not at present desire to shake.

14. *Aliquando*] i. e. When the state shall have shaken off the yoke of tyranny, and the regular procedures are resumed. Of course, this time never came.

15. *Arrogantiam*] He had already convicted Antony of ignorance and impudence. He now charged him with arrogance, for having, in defiance of his own *veto*, acknowledged Dolabella consul. Phil. i. 13.

16. *Si nihil est*] A dilemma. Either there is not force in Antony's words, or there is. If there is *not*, (which was Cicero's opinion, as Antony had no *augural* grounds for his proceedings, 'quid,

enim videras,' &c.,) then Antony could not have been sober when he used them; and if *there is*, it was for him to explain it to a brother augur; which, he hints, would be a difficult task.

17. *Veniamus*] If Cicero observes the order of time here, Dolabella's election must have taken place prior to the fifteenth of Feb., on which day the Lupercal feast was celebrated; and which reduces 'multis ante mensibus' to one and a half. The date is pointed out in Ovid. Fast. ii. 267: 'Tertia post Idus nudos Aurora Lupercos
Aspiciet, et Fauni sacri bicornes erunt.'

Virgil (Æn. viii. 343,) derives it from the Lycean Pan:

— 'Gelida monstrat sub rupe
Lupercal
Parrhasio dictum Panos de more Lycei.'

Quint., i. 9, mentions another origin: "Inveniuntur qui Lupercalia tres partes orationis esse contendunt, quasi 'luere (i. e. expiare) per eaprum.'" Liv. i. 5.

SECT. XXXIV.—1. *Sudat, pallet*] Signs of conscious guilt. Juv. Sat. i. 167 'tacita sudant præcordia culpa;' Pers. Sat. iii. 43. 'Palleat infelix quod proximus nesciat uxor.' The mention of the Lupercalia is sup-

faciat, quod in porticu Minutia³ fecit. Quæ potest esse turpitudinis tantæ defensio? Cupio audire: ut videam, ubi rhetoris tanta merces, ubi campus Leontinus⁴ appareat. Se-debat in Rostris⁵ collega tuus,⁶ amictus toga purpurea,⁷ in sella aurea,⁸ coronatus.⁹ Escendis,¹⁰ accedis ad sellam, (ita eras Lupercus,¹¹ ut te consulem esse meminisse deberes,) di-

posed to recall to Antony's mind the betraying of his country.

2. *Nauseet*] *Ναυσιῶν*, to be sea-sick. So Hor. Epis. i. 1:

——— 'Conducto navigio æquè
Nauseat ac illo quem ducit priva
tiremis.'

3. *Minutia*] Placed by Græv. in the Campus Martius, and called also Frumentaria. If, as is most probable, the intemperance of Antony at the marriage of Hippas is referred to, it must have been when Antony, as magister equitum, had his tribunal; which place, it is probable, was the forum.

4. *Campus Leontinus*] Supr. 17. n. 8.

5. *Rostris*] This was the 'suggetum,' or galley in the forum, from which the orators addressed the people. The Lupercal noticed by Virg. *Æn.* viii. 343; and from whence the Luperci began their procession, was near the ficus Ruminialis, where Romulus and Remus were exposed and saved by the wolf (*lupus*); to which, and the god Pan, who guarded the shepherds from the wolves (*lupi*) it owed its name. This place being contiguous to the forum gave Antony, who had lately added a third order to the Luperci, called 'Juliani,' an opportunity of conducting them, as they proceeded along the Via Sacra, to the presence of Cæsar, their tutelary god.

6. *Collega tuus*] By exaggerating the pride of Cæsar, he exaggerates the guilt of Antony, who endeavoured to raise his colleague and equal to royalty.

7. *Toga purpurea*] i. e. A trium-

phal robe. The ancients did not know the chemical process for dying red; therefore purple was esteemed by them the most costly colour.

8. *Sella aurea*] Suet. Jul. 76.

9. *Coronatus*] Suetonius informs us that Cæsar, being bald, was privileged to wear a perpetual crown of laurel, and also a golden crown with rays emerging from a centre. As he was in a triumphal dress, it is likely that he wore the more costly crown. We are carefully to distinguish this from a *diadem*, the badge of royalty, which was a white fillet or bandage for the head, 'candida fascia'—in Greek, *ταυνία λευκή*. Nothing else was regal.

10. *Escendis*] The other Luperci, if we may believe Plutarch, (*Anton.* 12,) raised him on their shoulders.

11. *Ita*—*Lupercus*] 'Ita' and 'sic,' followed by 'ut,' are sometimes prefixed to substantives to enforce or restrict them. Hor. Epis. ii. 1. 'Sic fautor veterum;' so warm a patron of the ancients. Here, however, 'ita' is so indefinite, that it may admit of several explanations: 1. Alluding to his conduct, as here described, it may be: 'you so over-acted the part of a Luperce, that you quite forgot (ought to have remembered) you were a consul.' Or, 2. 'You were so circumstanced as a Luperce, that you ought to have recollected your being consul.' But this seems to be too general, and 'deberes meminisse' to hint at a positive delinquency, such as is noticed inf. n. 19.

adema ostendis. Gemitus¹² toto foro. Unde diadema? non enim abjectum¹³ sustuleras, sed attuleras domo meditatum et cogitatum scelus. Tu diadema imponebas cum plangore¹⁴ populi: ille cum plausu rejiciebat.¹⁵ Tu ergo unus, scelerate, inventus es, qui quum auctor¹⁶ regni esses, eum, quem collegam habebas, dominum habere velles: et idem tentares, quid populus Romanus ferre et pati posset. At etiam¹⁷ misericordiam captabas: supplex te ad pedes abjiciebas; quid petens? ut servires? Tibi uni peteres, qui ita a puero¹⁸ vixerat, ut omnia paterere, ut facile servires: a nobis populoque Romano mandatum id certe non habebas. O præclaram illam eloquentiam tuam, quum es nudus concionatus!¹⁹ Quid hoc turpius? quid foedius? quid suppliciiis omnibus dignius? Num exspectas, dum te stimulis fodiam? hæc te, si ullam partem habes sensus, lacerat, hæc cruentat oratio. Vereor, ne imminuam²⁰ summorum virorum gloriam. Dicam tamen dolore commotus. Quid indignius,²¹ quam vivere eum, qui imposuerit diadema, quum omnes fateantur jure interfectum esse, qui abjecerit? At etiam adscribi jussit in fastis ad

12. *Ostendis diad.—Gem.*] The people did not wait till Antony had placed it on Cæsar's head; but groaned at the bare exposure.

13. *Non—abjectum*] Hence Antony must have premeditated the overthrow of the republic.

14. *Plangore*] The people had groaned at the sight; but they burst into loud lamentation when it was placed on his head.

15. *Rejiciebat*] Livy, Epit. 116, says that he laid the diadem on the chair beside him. Suet., Dio, and Plutarch, that he sent it to the Capitol, to the temple of Jupiter. Opt. Max.; adding that he was the only king of the Romans. Vid. Hooke, x. 11, where he shews it probable that Cæsar was sincere in his rejection of the diadem.

16. *Quum—auctor, &c.*] 'In being (or by being) the prime mover of a tyranny.' 'Et idem,' and *who* at the same time, &c.

17. *At etiam*] This heightens the charge still more. It was not enough to entreat Cæsar to rule; he must also pity the Roman people.

18. *A puero*] i. e. 'A pueritia.'

19. *Nudus concionatus est*] The Luperi were not stark naked, but had the skins of sheep tied about their loins. Plut. (in Romulo) διαθείονσι ἐν περιζώματι γύμνοι. Virg. Æn. viii. 663.

'Hinc exultantes Salios nudosque Lupercos.'

The charge then, here made is, not that he was naked, but that being so, he harangued. For this was confounding the duties and office of consul with the mummery of the Luperi.

20. *Ne imminuam, &c.*] By censuring their sparing the life of Antony.

21. *Quid indignius*] This, Cicero, Att. xvi. 11, changes to *indignissimum est*: but the MSS. remain unaltered. V. E.

Lupercalia,²² “C. Cæsari, dictatori perpetuo, M. Antonium, consulem, populi jussu regnum detulisse, Cæsarem uti noluisse.” Jamjam minime miror, te otium²³ perturbare; non modo urbem odisse, sed etiam lucem; cum perditissimis latronibus non solum de die,²⁴ sed etiam in diem vivere. Ubi enim tu in pace consistes? qui locus tibi in legibus²⁵ et in judiciis esse potest, quæ tu, quantum in te fuit, dominatu regio sustulisti? Ideone L. Tarquinius exactus, Spurii Cassius, Mælius, M. Manlius, necati, ut multis post seculis²⁶ a M. Antonio, quod fas non est,²⁷ rex Romæ constitueretur? Sed ad auspicia redeamus.²⁸

XXXV. De quibus rebus¹ Idibus Martiis fuit in senatu Cæsar acturus, quæro tum tu quid egisses. Audiebam qui-

22. *Ad Lupercalia*] i. e. Antony ordered it to be inscribed in the Fasti, under the date of these games (fifteenth of Febr.) that ‘he offered, &c.’ Antony was so far from having a sense of shame at establishing a tyranny, that he wished it to be handed down to posterity. Similarly, ad Brut. 15, ‘Ego, D. Bruto liberato, quum lætissimus ille civitati dies illuxisset, idemque casu Bruti natalis esset; decrevi ut in fastis ad eum diem Bruti nomen adscriberetur.’

23. *Te otium*] Reip. statum convellere. Abram.

24. *De die*] By day, openly; for he had said ‘non modo urbem odisse, sed etiam lucem.’ Catull. carm. 47.—‘In diem,’ from day to day. De Or. ii. 40. ‘Si barbarorum in diem vivere, nostra consilia sempiternum tempus spectare debent.’ Trans. ‘Not only to riot during the day, but (what is worse) to take no thought for tomorrow.’ ‘Vivere,’ with ‘de die,’ means ‘voluptatibus indulgere;’ with ‘in diem’ ‘vitam instituere.’

25. *In legibus*] i. e. In a state having laws and judiciary proceedings.

26. *Multis—seculis*] Tarquin was expelled, A. U. 245; Sp. Cassius fell in 270; Sp. Mælius, in 315; M.

Manlius, in 370; Antony presented Cæsar with the diadem in 709. The greatest difference is 464; the least, 339.

27. *Quod fas non est*] Liv. ii. 1. ‘Populum jurejurando adegit, neminem Romæ passuros regnare.’ Dionys. (lib. v.) goes farther still; for he says that they bound not only themselves, but their posterity, by the oath.

28. *Sed ad auspicia redeamus*] He pretends to consider the ‘Lupercalia’ as a digression, that he may return to the subject of the auspices, and introduce the Ides of March; on which there was to be some decision as to the validity of Antony’s ALIO DIE. From that he digresses into the great events which followed, and never returns.

SECT. XXV.—1. *De quibus rebus*] As Cæsar was to set out on the Parthian expedition, four days after the ides of March, it was necessary to settle the affair of Dolabella’s election before he proceeded. This was the question for that day, and Cic., who was engaged for Dolabella, had, no doubt, studied the subject, and discovered, perhaps, the distinction of ‘nuntiatio’ and ‘spectio.’ Antony, on the other hand, aware that Cic. was to speak against him, had come

dem te paratum venisse, quod me de ementitis auspiciis,² quibus tamen parere³ necesse erat, putares esse dicturum. Sustulit illum diem⁴ Fortuna populi Romani.⁵ Num etiam tuum de auspiciis iudicium⁶ interitus Cæsaris sustulit? Sed incidi⁷ in id tempus, quod iis rebus, in quas ingressa erat oratio, prævertendum est.⁸ Quæ tua fuga!⁹ quæ formido præclaro illo die! quæ propter conscientiam scelerum desperatio vitæ! quum ex illa fuga, beneficio eorum,¹⁰ qui te, si sanus¹¹ esses, salvum esse voluerunt, clam te domum¹² recepisti. O

prepared on the subject. Others refer it to a report noticed by Seuton. Jul. 79. 'Proximo senatu perccebit fama L. Cottam quindecimvirum sententiam dicturum, ut quoniam libris fatalibus contineretur, Parthos nisi a rege non posse vinci, Cæsar rex appellaretur.' If Cicero referred to this report, 'quæro tum tu quid egisses?' must be answered by saying, 'you would no doubt have voted for creating him king, on whom you had already placed a diadem.' But the first explanation is the simpler.

2. *De ementitis auspiciis*] Phil. iii.

4. 'Servabant reges auspicia, quæ hic consul augurque neglexit, neque solum legibus contra auspicia ferendis, sed etiam collega, una ferente, quem ipse ementitis auspiciis vitiosum fecerat.'

3. *Quibus tamen parere*] By this we see that Cæsar had not yet settled the question of Dolabella's election.

4. *Sustulit illum diem*] i. e. The fortune of the Roman people, who then recovered their liberty, freed you from the dangers of that day, whereon you must either have opposed Cæsar, your master, or allowed that you had falsified the auspices.

5. *Fortuna pop. Rom.*] Manil.

15. n. 16. Juv. Sat. x. 'Nos facimus, Fortuna, Deam cœloque locamus.' Abram. considers it remarkable that Homer never uses *τύχη* in the sense of 'fortune,'

6. *Num—iudicium*] i. e. 'The death of Cæsar freed you from this dilemma; but it left your decision on record, to prove your ignorance, impudence, and arrogance.' Or—his admission of Dolabella to the consulship may be alluded to.

7. *Sed incidi, &c.*] As Cicero pursues this digression to the end of his speech, it is plain that he made use of the auspices merely for the sake of transition, and had exhausted all that he had to say upon them. Supr. 34. n. 28.

8. *Prævertendum*] 'Incidi in id tempus de quo prius mihi loquendum est, quam de iis rebus de quibus cœperam loqui.' Faern. Al. *prætereundum non sit*.

9. *Quæ tua fuga*] He laid aside his consular robes, and assumed the garb of a slave.

10. *Beneficio eorum*] E. g. Trebonius, who drew Antony aside; or perhaps M. Brutus, who is said to have opposed the murder of Antony. Phil. xiii. 13. 'Sceleratum Trebonium? quo scelere? nisi quod te Idibus Mart., a debita tibi peste seduxit.'

11. *Si sanus esses*] i. e. Entertain sound and honest views for the republic.

12. *Clam te domum*] Plutarch says that Antony and Lepidus were obliged to take refuge in the houses of others, though Lepidus was not in the senate at all, but with his soldiers in the suburbs. Inf. n. 17.

mea frustra semper¹³ verissima auguria rerum futurarum! Dicebam illis¹⁴ in Capitolio liberatoribus nostris, quum me ad te ire vellent, ut ad defendendam rempublicam te adhortarer: quoad metueres, omnia te promissurum; simul ac timere desisses, similem te futurum tui. Itaque, quum ceteri consulares¹⁵ irent, redirent,¹⁶ in sententia mansi: neque te illo die, neque postero vidi; neque ullam societatem optimis civibus cum importunissimo hoste fœdere ullo confirmari posse credidi. Post diem tertium veni in ædem Telluris, et quidem invitus, quum omnes aditus¹⁷ armati obsiderent. Qui tibi dies ille, M. Antoni, fuit? Quamquam mihi inimicus subito¹⁸ exstitisti: tamen me tui miseret, quod tibi invideris.¹⁹

XXXVI. Qui tu vir, dii immortales! et quantus fuisses, si illius diei mentem servare potuisses! Pacem haberemus, quæ erat facta per obsidem, puerum nobilem,¹ M. Bambalionis² nepotem. Quamquam bonum te timor faciebat, non diuturnus magister³ officii: improbum fecit ea, quæ, dum timor abest, a te non discedit, audacia. Etsi tum, quum optimum te putabant, me quidem dissentiente,⁴ funeri tyranni, si illud funus fuit, sceleratissime præfuiisti. Tua illa pulchra laudatio,⁵ tua miseratio, tua cohortatio: tu, tu, inquam, illas

13. *O mea—semper*] Vid. Fam. vi. 6, where he states and upholds his prophetic powers. Supr. 15. n. 5.

14. *Dicebam illis, &c.*] The conspirators fled first to the Capitol. Introd. 2.

15. *Ceteri consulares*] L. Piso, L. Cæsar, P. Sulpicius, L. Philippus, &c.

16. *Irent, redirent*] Perhaps this implies 'kept coming and going,' a sense which the words might bear, supr. 33.

17. *Omnes aditus, &c.*] Appian states that Lepidus had a legion in an island of the Tiber, and that hearing of what had taken place, he led his troops into the Campus Martius, to assist Antony,—Dio says into the Forum. These, it is probable, were the men that were blockading the temple of Tellus, as Antony's veterans and

'advocates' were hardly yet in training.

18. *Inimicus subito*] Sc. the seventeenth of September.

19. *Tibi invideris*] Denied yourself the glory.

SECT. XXXVI.—1. *Puerum Nobilem*] Ironical. Att. xvi. 11. 'Tantum ut sciant, παῖδες παίδων, eum ex C. Fadii filia liberos habuisse.'

2. *Bambalionis*] Phil. ii. 1.

3. *Non diut. mag.*] i. e. 'Tamen non, &c.' Al. diuturni. 'Malus custos diuturnitatis, metus.' Off. ii. 7. V. E.

4. *Me, quidem dissentiente*] This may apply either to their opinion of Antony's integrity, in which Cic. did not concur; or the appointment of him to preside at the funeral of Cæsar, which he opposed.

5. *Pulchra laudatio*] Ironically.

faces⁶ incendisti, et eas, quibus semustulatus ille est, et eas, quibus incensa L. Bellieni⁷ domus deflagavit. Tu illos impetus perditorum hominum⁸ et ex maxima parte servorum,⁹ quos nos vi manuque repulimus, in nostras domos immisisti.¹⁰ Idem tamen, quasi fuligine¹¹ abstersa, reliquis diebus in Capitolio præclara senatusconsulta fecisti, ne qua post Idus Martias immunitatis tabula, neve cujus beneficii figeretur. Meministi ipse de exsulis,¹² scis, de immunitate quid dixeris. Optimum vero, quod dictaturæ nomen in perpetuum de republica sustulisti. Quo quidem facto tantum te cepisse odium regni videbatur, ut ejus omnem, propter proximum dictatorem, tolleres metum. Constituta respublica videbatur aliis, mihi vero nullo modo, qui omnia, te gubernante, naufragia metuebam. Num me igitur fefellit? aut num diutius sui potuit esse dissimilis? Inspectantibus¹³ vobis, toto Capitolio tabulæ figebantur; neque solum singulis venibant immunitates, sed etiam populis universis;¹⁴ civitas¹⁵ non jam singillatim, sed provinciis totis dabatur. Itaque si hæc manent,¹⁶ quæ stante republica manere non possunt, provincias universas, Patres conscripti, perdidistis; neque vectigalia

Suet. (Jul. 84.) says that Antony having read the decree and oath of fealty, formerly passed and taken, added a *very few words*. Dio and Appian, however, supply long orations.

6. *Illas faces*] Introd. 3. Suet. Jul. 85.

7. *L. Bellieni*] Fam. viii. 15. 'Bellienus verna Demetrii, &c.' Demetrius was a freedman of Pompey's. If so, Bellienus was not a senator, as the Delphin affirms, nor consequently a conspirator; none but senators having had that honour.

8. *Perditorum hominum*] Many of them were Jews, attached to Cæsar and hostile to Pompey, who had taken their temple. Suet. Jul. 84. 'Præcipuique Judæi qui etiam noctibus continuis bustum frequentarent.'

9. *Parte servorum*] For these mixed with the mob, and wore the same dress as their masters, except they were senators.

10. *Immisisti*] Att. xiv. 10. 'Servique et egentes in tecta nostra cum facibus immissi.'

11. *Fuligine*] From 'fumus,' soot. So 'udus' uligo.

12. *Meministi—de exsulis*] Similarly, in Quint. xii. 2. 'Neque omnino hujus rei meminit usquam poeta ipse.'

13. *Inspectantibus, &c.*] In the sight of the senators, who, a few days before, were witnesses to a contrary decree; the advertisements posted up, not in the forum, but in the capitol; to beard even Jupiter himself; not in a part of it, but the whole.'

14. *Populis universis*] e. g. The Cretans.

15. *Civitas, &c.*] We learn from Att. xiv. 12, that Cic. considered the Jus Latium (Latinitas) a great boon even for Cæsar to grant; whereas Antony grants them full citizenship.

16. *Manent*] Without being abrogated. So Virg. Æn. 'Atque im-

solum, sed etiam imperium populi Romani, hujus domesticis nundinis¹⁷ deminutum est.

XXXVII. Ubi est septies millies,¹ quod in tabulis, quæ sunt ad Opis, patebat? funestæ illius quidem pecuniæ,² sed tamen, quæ nos, si iis, quorum erat, non redderetur, a tributis³ posset vindicare. Tu autem quadringenties HS, quod Idibus Martiis debuisti, quonam modo ante Kalendas⁴ Aprilis debere desisti? Sunt ea quidem innumerabilia, quæ a diversis⁵ emebantur, non insciente te: sed unum egregium de rege Deiotaro,⁶ populi Romani amicissimo, decretum in Capitolio fixum. Quo proposito nemo erat, qui in ipso dolore risum⁷ posset continere. Quis enim cuiquam inimicior, quam Deiotaro Cæsar? æque atque huic ordini, ut equestri, ut Massiliensibus,⁸ ut omnibus, quibus rempublicam populi Romani caram esse sentiebat. Sed [igitur], a quo vivo, nec præsens,⁹ nec absens¹⁰ quidquam æqui boni impetravit, apud mortuum factus est gratosus. Compellarat¹¹ hospitem præsens, computarat, pecuniam imperarat,¹² in ejus tetrarchiam¹³

mota manet fatis Lavinia conjux.'

17. *Nundinis*] So supr. 3. 'Quum domi tuæ turpissimo mercatu omnia essent venalia.'

SECT. XXXVII.—1. *Septies milles*] Seven hundred, and 'quadringenties,' forty—millions of sesterces. Supr. 16. n. 6.

2. *Funestæ illius—pecuniæ*] He had before called it 'cruentæ.' Phil. i. 7. 'Illius,' i. e. 'Opis,' if we are not to refer it to Cæsar himself, to whom 'ille' is generally applied.

3. *Quorum*] Scil. Pompeianorum. Vid. Phil. i. 7.

3. *Tributis*] From the necessity of imposing taxes: these had not yet been levied, and were not till the following year. Fam. xii. 30. *Manut.* V. E.

4. *Idibus—Kalendis*] Cat. i. 6. n. 7. Att. xiv. 21. 'Kalendis Januarii debuit; adhuc non solvit.' And again, in the next letter: 'Jam vel sibi habeat nummos, modo numeret Idibus.'

5. *A diversis*] From different agents

of Antony.

6. *Unum—Deiotaro*] Att. xiv. 12. 'Quid? Deiotari nostri causa non similis? dignus ille quidem omni regno, sed non per Fulviam.'

7. *Risum*] At the contradiction between Cæsar's own acts, and those regarding the same individual, now ascribed to him. V. E.

8. *Massiliensibus*] They had sustained a memorable siege against his lieutenants, D. Brutus and Trebonius, when he was first in Spain. Hooke, x. 3. He was therefore highly incensed against them. Cat. ii. 7. n. 12.

9. *Nec præsens*] Deiot. Introd. 3.

10. *Absens*] His cause was advocated by Brutus at Nice in Liguria, and by Cic. at Rome. Deiot. Introd. 6.

11. *Compellarat*] 1. To call by name or question. 2. To reprove, to chide. 3. To sue for money, to dun, as here.

12. *Pecuniam imperarat*] This is alluded to Deiot. 5.

13. *Tetrarchiam*] Mil. 28. n. 8.

unum ex Græcis¹⁴ comitibus suis collocarat, Armeniam abstulerat a senatu datam. Hæc vivus eripuit: reddit mortuus.¹⁵ At quibus verbis?¹⁵ modo "æquum sibi videri," modo¹⁶ "non iniquum." Mira verborum complexio!¹⁷ At ille¹⁸ nunquam (semper enim absenti¹⁹ adfui Deiotaro) quicquam sibi, quod nos pro illo postularem, æquum dixit videri. Syngrapha²⁰ sestertii centies per legatos,²¹ viros bonos, sed timidos et imperitos, sine nostra, sine reliquorum hospitem regis sententia, facta in gynæceo:²² quo in loco plurimæ res venierunt et veneunt.²³ Qua ex syngrapha quid sis acturus, meditare censeo. Rex enim ipse sua sponte, nullis commentariis Cæsaris, simul atque audivit ejus interitum, suo Marte²⁴ res suas recuperavit. Sciebat homo sapiens, jus semper hoc fuisse, ut, quæ tyranni eripuissent, ea, tyrannis interfectis, ii, quibus erepta essent, recuperarent.

14. *Unum ex Græcis*] Mithridates Pergamenus. Deiot. Introd. 3. Hirtius B. A., says that he was of royal extraction, and educated by Mithrid. the great.

15. *Hæc vivus—mortuus*] Abram. thought that Cicero meant this to be ridiculous. Græv. says not. 'Nihil hic ridiculi video.' Cicero, however, says, *supr.*, that nobody could refrain from laughter at the sight of the decree, by which Cæsar restored his kingdom; evidently because he was *mortuus* when it was made.

15. *Quibus verbis*] The very language of the decree, Cicero hints, betrayed the author. Cæsar was a perspicuous writer.

16. *Modo—modo*] Sometimes. So Ter. Ern. iv. 4. 'Modo ait, modo negat.'

17. *Complexio*] Means in Cic., 1. A synæresis, a figure of speech. 2. The conclusion of a syllogism. 3. A dilemma. 4. Any strange way of speaking, a confusion of terms, as here.

18. *Ille*] Cæsar.

19. *Semper enim absenti*] Either as patron or advocate. As Cicero fled to Brundisium after the battle of Phar-

salia, he was not present at Nice, where the cause of Deiotarus was heard.

20. *Syngrapha*] 'Chirographum' means: 1. An autograph. 2. Memoranda, notes. 3. Any acknowledgment or bill of a debt, &c. But 'Syngrapha' is a regular bond signed by both parties, a copy of which is kept by each. 'Sestertii,' more usually 'sestertium,' or HS.

21. *Legatos*] Deiot. 15. 'Timidos,' being afraid of Antony; 'Imperitos,' who did not know, that on the death of a tyrant, the plunder reverted to its rightful owners.

22. *Gynæceo*] Γυναικείον, sc. οἶκον, an inner apartment, in which the matron kept the female part of the household. Here the apartment of Fulvia.

23. *Venierunt et veneunt*] Cicero joins these tenses to express the continuance of the practice. Manil. 13. n. 9. And, 'ex qua syng.—quid, &c.' i. e. How are you to execute your bond? Muren. i. 17. 'Pergitisne tanquam ex syngrapha agere cum populo?'

24. *Suo Marte*] On the death of Cæsar, Deiotarus expelled Mithridates

Nemo igitur jureconsultus, ne iste quidem,²⁵ qui tibi uni est jureconsultus, per quem hæc agis, ex ista syngrapha deberi dicit pro iis rebus, quæ erant ante syngrapham recuperatæ. Non enim a te emit, sed prius, quam tu suum sibi venderes, ipse possedit. Ille vir fuit: nos quidem contemnendi, qui auctorem odimus, acta defendimus.²⁶

XXXVIII. Quid ego de commentariis infinitis, quid de innumerabilibus chirographis loquar? quorum etiam¹ imitatores sunt, qui ea, tamquam gladiatorum libellos,² palam venditent. Itaque tanti acervi nummorum apud istum construuntur,³ ut jam expendantur,⁴ non numerentur pecuniæ. At quam cæca⁵ avaritia est! Et nuper fixa tabula est, qua civitates locupletissimæ⁶ Cretensium liberantur, statuiturque, ne post M. Brutum proconsulem sit Creta⁷ provincia. Tu mentis es compos? tu non constringendus? An Cæsaris decreto Creta post M. Bruti decessum potuit liberari, quum

from his tetrarchy, and Ariobarzanes from Armenia.

25. *Ne iste quidem*] Perhaps he means Sex. Clodius, who was by this time returned from exile; and from his experience in the service of P. Clodius, would be well qualified to assist Antony.

26. *Acta defendimus*] E. g. Cic. himself. Vid. Phil. i. 7.

SECT. XXXVIII. — 1. *Quorum etiam, &c.*] Abram. makes *etiam* in addition to Antony. Rather: Of which also, (in addition to 'the tabulæ, &c.' mentioned, sup. 36, and corrupted by Antony,) there are forgers. That these were merely agents of Antony, is shewn by the next sentence, where it appears that the money was piled up at his house.

2. *Tamquam gladiatorum libellos*] Like play-bills. Maturant. understands them as 'advertisements for the sale of gladiators;' but they are rather statements of the matches to be fought at the shews by the gladiators. Cic. Fam. ii. 8, calls them 'gladiatorum compositiones.' And Lipsius Saturn. ii. 18, says 'Ante pugnam, moris erat, ut editor libellos propo-

neret, in quibus dies futuri muneris, item nomina et paria gladiatorum;' and he adds, that they were sent even into the provinces to collect spectators and friends. Hor. Sat. ii. 7, alludes to a species of them which had on them representations of the fancy. Plin. xxxv. 7.

3. *Construuntur*] 'Divitiis, quas qui construxerit, ille Clarus erit.' Hor. Sat. ii. 3. 95. V. E.

4. *Expendantur*] The measuring of money to intimate its abundance had become proverbial. Hor. Sat. i. 1. 'Ut metiretur nummos.' This Cicero transfers to weight; which, though once the method of valuing money, had long fallen into disuse; except, as here, to express a large sum.

5. *At quam cæca, &c.*] Which takes the most imprudent methods of self-gratification; e. g. 'Nuper fixa tabula est, &c.'

6. *Locupletissimæ*] And therefore paid a great revenue.

7. *Creta*] This island was voted to Brutus soon after the ides of March. Introd. 3. Antony, then on friendly terms with Brutus, sold the decree for its liberation, on condition that it

Creta nihil⁸ ad Brutum, Cæsare vivo, pertineret? At hujus venditione decreti (ne nihil actum putetis) provinciam Cretam perdidistis. Omnino nemo ullius rei fuit emptor, cui defuerit hic venditor. Et de exsulis legem,⁹ quam fixisti, Cæsar tulit. Nullius insector calamitatem: tantum queror,¹⁰ primum eorum reditus inquinatos,¹¹ quorum causam Cæsar dissimilem judicavit; deinde nescio cur non reliquis idem tribuas. Neque enim plus quam tres aut quattuor reliqui sunt. Qui simili in calamitate sunt, cur tua misericordia simili non fruuntur? cur eos habes in loco patruī?¹² de quo¹³ ferre, quum de reliquis ferres, noluisti: quem etiam ad censuram petendam impulisti,¹⁴ eamque petitionem comparasti, quæ et risus hominum et querelas moveret. Cur autem ea comitia non habuisti? an quia tribunus plebis sinistrum¹⁵ ful-

should not take place till after expiration of Brutus's government. 'Proconsulem,' vid. Manil. 21. n. 8.

8. *Quum Creta nihil*] For Appian iii. relates that Cæsar had appointed Brutus to Macedonia; and although, upon the death of Cæsar, Antony, as consul, laid claim to it, and had Crete assigned to Brutus; yet, soon after this speech was written, Brutus seized on Macedonia, and held it for the senate. Had Antony, however, not made the exception in his favour, in the decree concerning Crete, Brutus might, by demanding Macedonia, have disconcerted his schemes.

9. *De exsulis legem*] He had promised, Phil. i. 1, to restore only one.

10. *Tantum queror*] Cic. objects, 1. That the restoration of these honourable men, who were exiled for their adherence to the cause of Pompey, should be contaminated by being brought into contact with that of men who had been banished for their crimes; and 2. That invidious exceptions were made when only three or four remained.

11. *Inquinatos*] Al. *æquatos*, i. e. put on the same footing.

12. *In loco patruī*] i. e. Why do you treat them as you *did* your uncle in your tribuneship, whom you omitted

to restore along with Lenticula and others. We must not then refer 'in loco patruī' to the present time, a mistake which has caused the greatest confusion in all the explanations given by the commentators of this and the following passage.

13. *De qua, &c.*] Namely, when Antony restored Lenticula, &c., sup. 23. It is probable that C. Antonius owed his return to Cæsar, who, on returning first from Spain, restored all the exiles, except Milo and Sex. Clodius. We find him in the senate the first day of this year. Inf. 'patruo sedente.'

14. *Quem—impulisti*] Cic. evidently introduces this as an instance of unfeeling conduct in Antony towards his uncle; but the circumstances being notorious, required only a brief allusion. Hence it is not clear what excited 'the laughter and complaints of people.' An obvious solution is, that the former arose from a man of such *morals* as C. Antonius aspiring to be '*magister morum*;' and the latter from Antony's having urged his uncle to a canvass, in order to expose him to the scorn of the citizens.

15. *Sinistrum*] De divin. ii. 35. 'Fulmen sinistrum auspiciū optimum habemus ad omnes res præterquam ad comitia.'

men nuntiabat? Quum tua quid interest, nulla auspicia sunt; quum tuorum, tum fis religiosus. Quid? eundem in septemviratu¹⁶ nonne destituisti? Intervenit enim.¹⁷ Quid metuisti? Credo, ne salvo capite¹⁸ negare non posses. Omnibus eum¹⁹ contumeliis onerasti, quem patris loco, si ulla in te pietas esset, colere debebas. Filiam ejus, sororem tuam,²⁰ ejecisti, alia conditione²¹ quæsitâ et ante perspecta.²² Non est satis. Probri²³ insimulasti pudicissimam feminam. Quid est, quod addi possit? Contentus eo non fuisti. Frequentissimo senatu Kalendis Januariis sedente patruo, hanc tibi esse cum Dolabella causam odii dicere ausus es, quod ab eo sorori et uxori tuæ stuprum oblatum esse comperisses. Quis interpretari potest, impudentiorne, qui in senatu, an improbius, qui in Dolabellam,²⁴ an impurior, qui patre audiente, an crudelior, qui in illam miseram²⁵ tam spurce, tam impie²⁶ dixeris.

16. *Septemviratu*] A further act of harshness in Antony towards his uncle. A Commission having been appointed by Antony to assign the public lands, his uncle wished to be made one of the number. Att. xv. 16. 'Dic mihi C. Antonius voluitne fieri septemvir? Dignus fuit.' Antony after giving him cause to expect his support, for reasons which do not appear, subsequently withdrew it.

17. *Intervenit enim*] An observation inserted by Cic. (or some grammarian) to show how Antony abandoned his uncle. 'Did you not desert him in his suit for the office of Septemvir?—(for he (Antony) privately opposed his appointment.) What did you fear, that you should act so underhand a part? Forsooth, lest you could not deny him without personal danger. Absurd.' Orel. agrees with this explanation. Others take it generally. 'I did,' replies Antony; 'for something occurred.' Others again: 'I did; for he (C. Antonius) intruded himself.'

The first explanation appears the most probable; but perhaps the sense is left designedly imperfect.

It may be added, that Turneb.

Advers. iv. 11, supposes 'destituisti' to refer to a money transaction; and explains: 'Intervenit enim (et pecuniam petivit).' Of course there is no ground for this conjecture. Olivet. however, cites 'pecuniam petivit,' as Turnebus's meaning of 'intervenit,' not as an explanation of the transaction! Hence Dunc. 'He asked for the money.'

18. *Salvo capite*] With personal safety. Cæcin. 8.

19. *Omnibus eum*] This is a new act of harshness, quite distinct from the Septemvirate.

20. *Sororem tuam*] Your cousin.

21. *Alia conditione*] Fulvia.

22. *Perspecta*] Al. *prospecta*. Vid. Bayle, art. Fulvia.

23. *Probri*] Here, adultery.

24. *Qui in Dolabellam*] Dolabella was now reconciled to Antony, and both had conspired against the senate; therefore Cic. might hope by this to create dissension between them.

25. *Illam miseram*] Innocentem. Abram.

26. *Tam spurce, tam impie*] These adverbs must be limited to the last clause in the sentence, i. e. to his

XXXIX. Sed ad chirographa redeamus.¹ Quæ tua fuit cognitio?² Acta enim Cæsaris pacis causa confirmata sunt a senatu, quæ quidem Cæsar egisset, non ea, quæ Cæsarem egisse dixisset Antonius. Unde ista erumpunt?³ quo auctore proferuntur?⁴ si sunt falsa, cur probantur? si vera, cur veneunt? At sic placuerat, ut ex Kalendis Juniis de Cæsaris actis cum consilio cognosceretis.⁵ Quod fuit consilium? quem unquam convocasti? quas Kalendas Junias expectasti? an eas, ad quas te, peragratis veteranorum coloniis, stipatum armis retulisti?

O præclaram illam percursionem tuam mense Aprili atque Maio,⁶ tum, quum etiam Capuam⁷ coloniam deducere conatus es! Quemadmodum illinc abieris, vel potius pæne⁸

abuse of Antonia—being inapplicable to the rest. ‘Spurcus,’ according to Fest., is properly applied to *impure* wine; and ‘impious’ is, without regard to consanguinity.

SECT. XXXIX.—1. *Sed ad chirographa redeamus*] From speaking of the law about the exiles, Cic. took occasion to digress to Antony’s harsh treatment of his uncle, and now he returns to the ‘chirographa’ again.

2. *Quæ—cognitio?*] In what mode did you examine and verify these? ‘Ne qua ipsius cognitio, illo absente, de existimatione ejus constitueretur.’ Verr. ii. 25. *V. E.* As Antony ought to have given in his report on the first of June, his failing to do so leads Cic. to consider how he spent his time, his review of the colonies, his return to Rome and conduct there, with which he concludes.

3. *Unde—erumpunt?*] Nisi ex domo tua, imo ex gynæceo Fulviæ. *Abram.*

4. *Quo auctore proferuntur?*] i. e. Who but Antony vouches for their genuineness? Phil. i. 7. n. 8.

5. *Cognosceretis*] sc. You and Dolabella. ‘Cum consilio;’ ‘with a committee.’

6. *Mense—Maio*] Introd. 5.

7. *Capuam*] This city, A. U. 412, made a voluntary surrender of itself to

the Roman people (Liv. vii. 30,) to obtain its protection against the Samnites. When Hannibal, however, released it from the fear of Rome, it revolted. Its punishment was severe, being deprived of its senate, and all the distinctions of a republic. Agrar. i. 6. The city, however, was spared, but it was merely as a mart for the productions of the neighbouring lands. Agrar. ii. 33. It continued a Roman præfecture, untouched either by the generosity of a Gracchus, or the tyranny of a Sylla—‘benignitas Gracchorum aut Syllæ dominatio.’ A colony, indeed, had been led out thither by M. Brutus, the father of the tyrannicide; but it being observed, that both he and the other promoters of it met with a violent death, it soon declined. Agrar. ii. 34. Rullus, in Cicero’s consulship, proposed to colonize it, but failed through the eloquence of Cic., who urged the innate pride of Capua, and its emulation of Rome. Cæsar, A. U. 694, proposed an Agrarian law which made Capua the head of a colony. Then were its senators raised to the rank of decuriones, and it soon became the most flourishing city in Italy.

8. *Pæne*] Antony, to conciliate the veterans, many of whom were still unprovided with lands, resolved to in-

non abieris, scimus. Cui tu urbi⁹ minitaris. Utinam conere, ut aliquando illud *pæne* tollatur! At quam nobilis est tua illa peregrinatio! quid prandiorum apparatus,¹⁰ quid furiosam vinolentiam tuam proferam? Tua ista detrimenta sunt: illa¹¹ nostra. Agrum Campanum,¹² qui quum de vectigalibus eximebatur, ut militibus daretur, tamen infligi magnum reipublicæ vulnus putabamus; hunc tu compransoribus tuis et collusoribus dividebas. Mimos dico et mimas, Patres conscripti, in agro Campano collocatos. Quid jam querar¹³

crease the number of the Capuan colony; in attempting which he was nearly killed.

9. *Cui—urbi*] *Quali*, Delph. But it is like 'cui bello,' supr. 29. Phil. xii. 3. 'Illi, (Capuæ,) illi, inquam, urbi fortissime conanti e manibus est ereptus Antonius.'

10. *Prandiorum apparatus*] Cat. ii. 10. n. 16.

11. *Ille*] Referring, as usual, to what follows.

12. *Agrum Campanum*] This district became the 'publicus ager' of the Rom. people by surrender, A. U. 412, during the war of the Samnites, but the occupiers were permitted to retain the possession. But after the revolt of Capua to Hannibal, they were driven out, and it was allocated to Roman settlers, 'vectigales,' the tenants of the Rom. people. Liv. xxvi. 34; xxvii. 3. 11, and xlii. 19. It continued in their possession with slight changes, till it was colonized by Cæsar, with 20,000 Roman citizens. The head of this colony was Capua. Now as Cicero objected to the Agrarian law of Rullus, that it would deprive the Rom. people of their 'fairest revenue,' we must infer that Cæsar's law did no less. How, then, can Cic. say that this land was taken from the 'vectigales' to be given to soldiers, if it had been already disposed of to 20,000 colonists? The probable answer is, that the 'Campanus ager' was so extensive as to leave abundant room for numerous state tenants, after supplying Cæsar's colo-

nists; that it was these who were removed to make way for the military colonies of Cæsar (militibus,) and hence the 'wound inflicted on the republic.'

It is worth notice, however, that even these veterans did not fully occupy it, as we find it now distributed to his favourites by Antony, who would not surely attempt to dislodge the men whose favour he was now courting. But not even did this exhaust this wonderful land; for Antony had about this time a special commission of seven, appointed to distribute to 'deserving persons,' this, and the Leontine lands; and we find in the succeeding Philippics, that they acted on their commission; and Antony makes it a particular demand from the senate, that, in case of their coming to terms, the grants made by the Septemvirate should be valid. Phil. viii. 7. The Romans, indeed, in the leases of the state lands, reserved to themselves the right of resumption at pleasure, and this may explain the location of this land to colonies; but nothing except its extent and the vagueness of the terms, seems sufficient to clear the difficulty of understanding the repeated settlements which Cicero states it to have undergone. The student will find some sensible remarks connected with this subject, in Neibuhr's Roman History, which would have been still more valuable, if properly illustrated by examples.

13. *Quid jam querar?*] He does afterwards. Phil. iii. 9.

de agro Leontino? Quandoquidem hæ quondam arationes¹⁴ Campana et Leontina¹⁵ in populi Romani patrimonio grandi fenore¹⁶ et fructuosæ ferebantur. Medico¹⁷ tria millia jugerum: quid, si te sanasset?¹⁸ rhetori duo: quid, si te disertum facere potuisset? Sed ad iter Italiamque¹⁹ redeamus.

XL. Deduxisti coloniam¹ Casilinum, quo Cæsar ante deduxerat.² Consuluisti me per literas de Capua tu quidem; sed idem de Casilino respondi: possesne, ubi colonia esset, eo coloniam novam jure deducere. Negavi,³ in eam coloniam, quæ esset auspicato deducta, dum esset incolumis, coloniam novam jure deduci: colonos novos adscribi posse rescripsi. Tu autem insolentia elatus, omni auspicio jure turbato, Casilinum coloniam deduxisti, quo erat paucis annis ante deducta, ut vexillum tolleres,⁴ ut aratrum circumduceres: cujus quidem vomere portam Capuæ pæne perstrinxisti, ut florentis coloniae territorium minueretur. Ab hac

14. *Arationes*] Public farms, or the arable parts of an 'ager.'

15. *Leontina*] Supr. 17. n. 8. 'Patrimonio,' Supr. 17. n. 9.

16. *Fenore*] Properly, produce, 'fœtus.'

17. *Medico*] The name of this lucky man is not recorded. For 'rhetori' vid. sup. 4, n. 7.

18. *Quid, si te sanasset*] If he had restored your senses. *Al. quasi.* V. E.

19. *Ad iter Italiamque*] He had digressed to speak of the Leontine land which lay in Sicily.

SECT. XL.—1. *Deduxisti coloniam, &c.*] The object here is to convict Antony of a disregard of omens, and consequently a breach of religion.

2. *Quo Cæsar ante deduxerat*] Casilinum was on the river Volturnus, in Campania. Liv. xxii. 15. 'Quæ urbs, Volturno flumine dirempta, Falernum ac Campanum agrum dividit.' Abram. considers this a military colony; but as the civil war was only terminated the preceding year, the veterans could hardly be said to be 'paucis annis ante deducta.' We must, therefore, refer it to the coloni-

zation, A. U. 694.; and conceive the military colonies to be planted in such portions of Campania, as were not occupied by the colonists at that period.

3. *Negavi*] Neibuhr details the methods of planting a colony. It appears that the Augur or Agrimenssor drew two transverse lines at right angles, in the direction of the four cardinal points. If all the lands which came within the Augur's range, were unoccupied, it was well; if not the occupants had to remove, as was the case with the Mantuans. Virg. Ecl. i.

4. *Ut vexillum tolleres*] 'Vexillum' from 'velum;' (Cic. Orat. 45, says that 'velum' is from it,) or from 'velo' being carried by the standard-bearer. Forcel. defines, 'velum purpureum quod est apud ducem et ab eo proponitur ad signum futuræ pugnæ dandum.' The soldiers flocked to it in a muster, and it was displayed in leading out a colony. Cic. hints that Antony planted the colony, not to serve the veterans, but for the sake of displaying the flag, (i. e. of violating the auspices by leading out a colony unlawfully;) and of marking out

religionum perturbatione advolas in M. Varronis,⁵ sanctissimi atque integerrimi viri, fundum Casinatem.⁶ Quo jure? quo ore? Eodem, inquires, quo in heredum L. Rubrii, quo in heredum⁷ L. Turselii⁸ prædia, quo in reliquas innumerabiles possessiones. Et si ab hasta,⁹ valeat hasta, valeant tabulæ, modo Cæsaris, non tuæ; quibus debuisti, non quibus tu te liberavisti. Varronis quidem Casinatem fundum quis venisse dicit? quis hastam istius venditionis vidit? quis vocem præconis audivit? Misisse te¹⁰ dicis Alexandriam, qui emeret a Cæsare. Ipsum enim exspectare magnum fuit! Quis vero audivit unquam (nullius autem salus curæ pluribus fuit) de fortunis Varronis rem ullam esse detractam? Quid? si etiam scripsit ad te Cæsar, ut redderes; quid satis potest dici de tanta impudentia? Remove gladios parumper illos, quos videmus. Jam intelliges, aliam causam¹¹ esse hastæ Cæsaris, aliam confidentiæ et temeritatis tuæ. Non enim te dominus modo illis sedibus, sed quivis amicus, vicinus, hospes, procurator arcebit.

XLI. At quam multos dies in ea villa turpissime est perbacchatus! Ab hora tertia¹ bibebatur, ludebatur, vomebatur. O tecta ipsa misera, 'quam dispari domino!² Quam-

boundaries with the plough; (i. e. of infringing on the territory of Capua.)

5. *M. Varronis*] Varro was born ten years before Cicero, to whom he dedicated his books, *de Ling. Lat.* Lactantius says of him: 'Fuit togatorum literatissimus et quo nemo unquam doctior, ne apud Græcos quidem fuit.' His attachment to the cause of Pompey is well known.

6. *Casinatem*] Casinum, a town of the Volsci, in Latium, now Monte Cassino. Varro had another estate at Tarentum, where there was a famous aviary and horologium. Vid. de R. R. iii. 5. 13.

7. *Quo in heredum*] Cic. had written *quo in Scipionis*, but at the request of Atticus, changed it. Att. xvi. 11.

8. *L. Rubrii—Tursel.*] Supr. 8. 25.

9. *Si ab hasta*] Phil. viii. 3. 'Hasta Cæsaris multis improbis et spem affert, et audaciam.' 'If Antony really bought the estate of Varro at the pro-

scription-sale of Cæsar, why let that sale be valid, let the treasury accounts, by which, at the instance of Cæsar, you were made debtor to the amount, ('quibus debuisti,') be valid; not yours, by which you brought yourself in clear. Antony had no doubt written 'paid' under his account in the state ledger. The 'tabulæ auctionariæ' then are not referred to here.

10. *Misisse te, &c.*] He refutes this second plea of Antony in three ways: 1. By shewing its improbability, as there was no urgency to prevent him from awaiting Cæsar's return. 2. There was no witness of the transaction, yet every one was concerned. 3. So far from that, Cæsar wrote to you to restore it.

11. *Aliam causam*] Cic. still affects to consider Cæsar's acts as legal.

SECT. XLI.—1. *Ab hora tertia*] Sc. Nine o'clock. Arch. 7. n. 15.

2. *Quam dispari domino*] Off. i. 39. 'O domus antiqua, heu! quam

quam quomodo iste dominus? sed tamen quam ab dispari tenebantur! Studiorum enim suorum M. Varro voluit esse illud, non libidinum deversorium.³ Quæ in illa villa antea dicebantur! quæ cogitabantur! quæ literis mandabantur! Jura populi Romani, monumenta majorum, omnis sapientiæ ratio, omnisque doctrinæ.⁴ At vero, te inquilino,⁵ (non enim domino,) personabant omnia vocibus ebriorum; natabant pavimenta⁶ vino; madebant parietes; ingenui pueri⁷ cum meritoriis, scorta inter matresfamilias versabantur. Casino salutatum veniebant,⁸ Aquino, Interamna.⁹ Admissus est nemo. Jure id quidem: in homine enim turpissimo obsolefiebant¹⁰ dignitatis insignia. Quum inde Romam proficiscens ad Aquinum accederet, obviam ei processit (ut est frequens municipium) magna sane multitudo. At iste operta¹¹ lectica latus per oppidum est ut mortuus. Stulte Aquinates: sed tamen in via¹² habitabant. Quid, Anagnini?¹³ qui, quum

dispari dominare domino? The poet is not known.

3. *Deversorium*] He calls it (4. de R. R. iii.) a part of his museum. His writings were most voluminous, embracing every subject of human and divine learning. Only three books, de R. R., and his treatise de Ling. Lat. are extant.

4. *Sapientiæ—doctrinæ*] Philosophy—erudition. The former respects what a man gains by the exertion of his natural powers: the latter by the instruction of others. 'Omnis,' the genit. used distributively.

5. *Inquilino*] This word, which is given by Forcel. 'quasi incolinus,' is really from 'insula,' i. e. 'insulinus.' 'Insulæ' were originally houses built separately from others; then, rented houses, lodgings. Murator. found the 'insulæ' to the 'domus,' as fifty to one. The latter, therefore, were probably the town residences of the rich, the former of the poor, or of provincials who had no permanent houses at Rome. Hence the invidious appellation of the term to Cicero. Sall. Cat. 32.

6. *Natabant pavimenta*] Carm. ii.

14. 25. 'Absumes heres. Cæcuba dignior . . . et mero tinguet pavimentum suberbo.' Pis. 10. 'In quo nemo potest dicere, utrum iste plus biberit, an vomuerit, an effuderit.'

7. *Ingenui pueri, &c.*] Of whom Seneca, Epist. v. 'Transeo puerorum infeliciūm greges, quos post transacta convivia aliæ cubiculi contumeliæ expectant.' They are opposed to 'meritoriis,' who were generally slaves.

8. *Veniebant*] Sc. to the Villa of Varro.

9. *Interamna*] Mil. 17. n. 14. 'Aquinum,' a town of Latium, now Aquino; most celebrated, perhaps, as the birth-place of the angelic Doctor, Thomas Aquinas.

10. *Obsolefiebant*] Were tarnished. Manil. 17. n. 5.

11. *Operta*] Not like Cytheris who chose her litter to be 'aperta.'

12. *In via*] Sc. Latina; opposed to 'devii.'

13. *Anagnini*] Anagnia was a town of Latium, built on a low mountain, which lay to the left of the Via Latina. They therefore might have avoided paying their respects to the Roman consul.

essent devii, descenderunt, ut istum, tamquam si esset, consulem salutarent. Incredibile dictu: sed tum nimis inter omnes constabat, neminem esse resalutatum: præsertim¹⁴ quum duos secum Anagninos haberet, Mustelam et Laconem; quorum alter gladiatorum¹⁵ est princeps, alter poculorum. Quid ego illas istius minas contumeliasque commemorem, quibus invectus est in Sidicinos,¹⁶ vexavit Puteolanos,¹⁷ quod C. Cassium et Brutos patronos adoptassent? Magno quidem iudicio, studio, benevolentia, caritate, non ut te, ut Basilum,¹⁸ vi et armis, et alios vestri similes, quos clientes nemo habere velit, non modo¹⁹ illorum cliens esse.

XLII. Interea¹ dum tu abes, qui dies ille collegæ tui fuit, quum illud, quod tu venerari solebas, bustum² in foro evertit! qua re tibi nuntiata, ut constabat inter eos, qui una fuerunt, concidisti. Quid evenerit postea, nescio.³ Metum credo valuisse et arma. Collegam quidem de cælo detraxisti,⁴ effecistisque, non tu quidem etiam nunc, ut sit similis tui, sed certe, ut dissimilis esset sui.

Qui vero inde reditus Romam! quæ perturbatio totius urbis! Memineramus Cinnam nimis potentem, Sullam⁵ pos-

14. *Præsertim*] Supr. 24. n. 17.

15. *Must.—gladiatorum*] *Al. gladiatorum*. Cicero gives these two persons' names to his friend Atticus, xvi. 11. apparently after the perusal of this oration. They were therefore probably not found in the original, though they now appear in all MSS. *V. E.* 'Anagnini sunt Mustela *ραξίαρχης* et laco qui plurimum bibit.'

16. *Sidicinos*] Sidicinum, called also Teanum, was a town of Campania, on the Liris, near the Via Appia. Liv. vii. 29.

17. *Puteolanos*] Puteoli, now Pozzolo, a town on the sea-coast near Naples; so called, either 'ab aquæ calidæ putore;' or, 'a multitudine puteorum, earundem aquarum gratia, factorum.' It was so celebrated as a mart, that it was called Delos Minor.

18. *Basilum*] Off. iii. 8.

19. *Non modo*] For 'nedum.' Fam. i. 9. 'Nullum meum minimum dicitur, non modo factum intercessit.' The

regular construction would be 'quos nemo non modo illorum cliens ipse, sed ne clientes quidem habere velit.' Cat. i. 10, n. 4.

SECT. XLII.—1 *Interea*] Cic. has now arrived at the transactions of the preceding months, some of which were noticed in Phil. i. 1—3.

2. *Bustum*] Phil. i. 2. n. 13.

3. *Quid—nescio*] He knew very well; for by this time Dolabella was corrupted by Antony. Att. xiv. 21. 22.

4. *De cælo detraxisti*] Cic., indeed, had often praised Dolabella; but was as often premature. Atticus thought so, xiv. 21. 'Sæpius me jam agitas, quoad rem gestam Dolabellæ nimis in cælum efferre videar.' The expression is poetical. Hom.:

'Καὶ μὲν κλέος οὐρανὸν ἔκει.'

Virg.:

'Fama super æthera notus.'

Hor.:

'Sublimi, feriam sidera vertice.'

5. *Cinnum—Sullam*] Cat. iii. 10. n. 7.—13.

tea dominantem; modo regnantem Cæsarem videramus.— Erant fortasse gladii, sed absconditi, nec ita multi. Ista vero quæ⁶ et quanta barbaria⁷ est! Agmine quadrato⁷ cum gladiis sequuntur: scutorum lecticas⁸ portari videmus. Atque his quidem jam inveteratis, Patres conscripti, consuetudine obduruimus. Kalendis Juniis, quum in senatum, ut erat constitutum, venire vellemus, metu perterriti repente diffugimus. At iste, qui senatu non egeret, neque⁹ desideravit quemquam, et potius discessu nostro lætatus est, statimque illa mirabilia facinora effecit. Qui chirographa Cæsaris defendisset lucri sui causa, is leges Cæsaris, easque præclaras, ut rempublicam concutere posset, evertit. Numerum annorum¹⁰ provinciis prorogavit: idemque, quum actorum Cæsaris defensor esse deberet, et in publicis, et in privatis rebus acta Cæsaris rescidit. In publicis¹⁰ nihil est lege gravius: in privatis firmissimum est testamentum. Leges alias sine promulgatione sustulit: alias ut tolleret, promulgavit.¹¹ Testamentum irritum fecit; quod etiam infimis civibus semper obtentum est.¹² Signa, tabulas,¹³ quas populo Cæ-

6. *Ista vero quæ*] By comparing Antony with former tyrants, and shewing that he was worse, he holds him up to public odium. Phil. v. 6. 'Cinnam memini; vidi Sullam; modo Cæsarem.'

7. *Barbaria*] From βᾶω, I speak, and the letter ρ, the Greeks formed the word βάρβαρος, to express strangers who could not give that letter the proper sound. Arch. 8. n. 18. Applied to foreigners, 'barbaria' signifies rudeness, ignorance, &c.; but to a Roman, an affectation of *foreign manners*, as here; for it was introducing an eastern despotism to have bodyguards, litters of shields, &c. Perhaps, too, there is a reference to the Itureans whom, in the parallel passage, Phil. v. 6, he calls 'barbari sagittarii.'

7. *Quadrato*] i. e. Presenting a front on every side; therefore, ready to engage.

8. *Scutorum lecticas*] i. e. 'Repletas scutis,' a use of the genit. corresponding to our idiom, 'a basket of

flowers.' It appears, from Phil. v. 6, that the object was not to conceal the shields, but to relieve his friends from the fatigue of carrying them. 'Non quo ille scuta occulta esse vellet, sed ne familiares, si scuta ipsi ferrent, laborarent.'

9. *Neque*] Connects 'desideravit' with 'lætatus est.' 'Both did not want.'

10. *Numerum annorum,*] Phil. i. 8.

10. *In publicis*] Sc. *rebus*, from the preceding words; where *acta* includes both 'lex' and 'testamentum'; the former being 'respublica,' the latter, 'privata.' Justin., however, says: 'Testamenti factio non privati sed publici juris est.'

11. *Alias ut tolleret, promulgavit*] Cic. means: 'he annulled some laws without, others by, promulgation.'—i. e. It was indifferent to him whether he observed even the forms of regular legislation.

12. *Obtentum est*] Tusc. v. 1, 'Lex, quæ in Græcorum conviviis

sar una cum hortis legavit, eas hic partim in hortos Pompeii deportavit, partim in villam Scipionis.¹⁴

XLIII. Et tu¹ in Cæsaris memoria diligens? tu illum amas mortuum? Quem is honorem majorem consecutus erat, quam ut haberet pulvinar,² simulacrum,³ fastigium,⁴ flamen? Est ergo flamen,⁵ ut Jovi, ut Marti, ut Quirino, sic divo Julio M. Antonius. Quid igitur cessas? cur non inaugurare? sume diem: vide, qui te inauguret;⁶ collegæ sumus; nemo negabit. O detestabilem hominem, sive quod tyranni sacerdos es, sive quod mortui! Quæro deinceps, num, hodiernus dies qui sit,⁷ ignores? nescis, heri quartum in Circo⁸ diem ludorum Romanorum fuisse? te autem ipsum ad populum tulisse, ut quintus præterea dies Cæsari tribueretur? Cur non sumus præ-

obtinetur,' i.e. holds—is observed.

13. *Signa, tabulas*] These, not being mentioned in Cæsar's will, probably belonged to the gardens, which were mentioned; and this omission Antony took advantage of, to carry them away.

14. *Villam Scipionis*] Which, with Pompey's gardens, was in Antony's own possession. Supr. 17. n. 2.

SECT. XLIII.—1. *Et tu, &c.*] Having dwelt upon the illegal acts, he now meets the general defence of Antony: that he was actuated in all he did by love to Cæsar and his memory. So far from this, Cicero shews that the very honours which he had voted Cæsar, while alive, he neglects to confer.

2. *Pulvinar*] Mil. 27. n. 15. The feast at which these couches were employed, was called 'lectisternium.'

3. *Simulacrum*] According to Plin. xxxiv. 2, 'simulacrum' was peculiar to the gods. 'Pervenit deinde ad Deum simulacra, effigiem hominum.'

4. *Fastigium*] Murator. iii. 618. 'Ædicula, sive tegumentum ædiculæ vel statux impositum, et quatuor columnis suffultum,' i.e. a canopy or dome raised over a small temple, or image, to defend it from injury. Flor.

iv. 2, among the honours of Cæsar, places 'fastigium in domo.'

5. *Flamen*] Qu. *filamen*—a *filo*, from the cap which the priest wore. The 'flamines' were priests to individual deities. They were originally three, as Cic. states. Liv. i. 20. After this example every emperor at his consecration had his flamen. Suet. Cl. 6.

6. *Vide—inauguret*] Cic. does not here intimate any doubt of Antony's being able to procure an augur to consecrate him; his argument requiring him to prove that no difficulty of that kind existed. He does so by assuring him, as a brother augur, that no one would oppose his application. Antony's not applying then, under such circumstances, proves the insincerity which dictated his proposed honours to Cæsar.

7. *Dies qui sit*] Vid. Introd. 8, where, contrary to Phil. v. 7, ('adesse in senatum jussit a. d. xiii. Kal. Oct.' i.e. the nineteenth of Sept.) the date of Antony's speech, and consequently of this, Cicero's reply is given, by mistake, the twentieth instead of the nineteenth.

8. *In Circo*] The old 'ludi Romani,' which were celebrated from the fourth to the thirteenth of Sep-

textati?⁹ Cur honorem Cæsari tua lege datum deserì patimur? an supplicationes¹⁰ addendo diem contaminari passus es; pulvinaria noluisti? Aut undique religionem tolle, aut usquequaque conserva. Quæres,¹¹ placeatne mihi pulvinar esse, fastigium, flaminem. Mihi vero nihil istorum placet. Sed tu, qui acta Cæsaris defendis, quid potes dicere, cur alia defendas, alia non cures?¹² Nisi forte vis fateri, te omnia quæstu tuo, non illius dignitate metiri. Quid ad hæc tandem? (—Exspecto enim eloquentiam tuam. Disertissimum¹³ cognovi avum tuum: at te etiam apertio¹⁴ in dicendo. Ille nunquam nudus est concionatus: tuum hominis simplicis pectus vidimus.—) Respondebisne ad hæc? aut omnino hiscere¹⁵ audebis? Ecquid reperies ex tam longa oratione mea, cui te respondere posse confidas? Sed præterita¹⁶ omittamus.

XLIV. Hunc unum diem, hunc unum, inquam, hodie-

tember, differed from these, the institution of which is not clearly ascertained: they being, however, on the fifteenth of Sept.

9. *Prætextati*] The 'prætexta,' it is probable, was the proper senatorial dress for viewing the Roman games, unless, we suppose with Ferrar., that on the fifth day of the games the senators were by the law obliged, in honour of Cæsar, to wear the senatorial robe.

10. *An supplicationes*] For, while Antony had neglected the 'pulvinar' and 'simulacrum,' in order to save appearances, he had ordered 'supplicationes' on the fifth day of the games. Cic., however, thought them all equally a profanation of religion.

11. *Quæres*] An anticipation by which he frees himself from the suspicion of favouring these extravagant grants to Cæsar; and convicts Antony of proposing them merely to flatter a tyrant, and serve his own ends.

12. *Alia non cures*] Cic. hints that the law by which Antony decreed the honours to Cæsar, which he is now neglecting, was as much Cæsar's act, as any of those which, to suit his inter-

est, he was maintaining. This consideration identifies Antony's laws with the acts of Cæsar.

13. *Disert.*] Cic. makes this M. Antony, the orator, express the distinction of 'disertus' and 'eloquens,' de Or. i. 21. 'Quod eum statuebam disertum, qui posset satis acute atque dilucide, apud mediocres homines, ex communi quadam opinione hominum, dicere: eloquentem vero qui mirabilius et magnificentius augere posset atque ornare, quæ vellet; omnesque omnium rerum, quæ ad dicendum pertinerent, fontes animo ac memoria contineret.'

14. *Apertio*] A sort of banter on Antony's naked exhibition at the Lupercal games. 'Apertus,' applied to speech, signifies 'perspicuous.' Nat. D. ii. 2. 'Aperta et perspicua res.'

15. *Hiscere*] To open the mouth—'raris turbatus vocibus hisco.' Virg. Æn. iii. 314.

16. *Præterita*] i. e. Admitting you cannot defend your past conduct, at least give us some reason why you put the senate under arrest.

num diem,¹ hoc punctum temporis, quo loquor, defende, si potes. Cur armatorum corona² senatus sæptus est? cur me tui satellites cum gladiis audiunt? cur valvæ Concordiæ³ non patent? cur homines omnium gentium maxime barbaros, Ityræos,⁴ cum sagittis deducis in forum?—Præsidii⁵ sui causa se facere dicit. Nonne igitur millies⁶ perire est melius, quam in sua civitate sine armatorum præsidio non posse vivere? Sed nullum est istuc, mihi crede, præsidium. Caritate⁶ et benevolentia civium sæptum oportet esse, non armis. Eripiet, extorquebit tibi ista populus Romanus, utinam salvis⁷ nobis! Sed quoquo⁸ modo nobiscum egeris, dum istis consiliis uteris, non potes, mihi crede, esse diuturnus. Etenim ista tua minime avara conjux, quam ego sine contumelia describo, nimium debet diu populo Romano tertiam pensionem.⁹ Habet populus Romanus, ad quos¹⁰ gubernacula reipublicæ deferat: qui ubicunque¹¹ terrarum sunt, ibi est omne reipublicæ præsidium, vel potius ipsa respublica, quæ se adhuc tantummodo ulta est,¹² nondum recuperavit.¹³ Habet quidem certe respublica adolescentes¹⁴ no-

SECT. XLIV.—1. *Hodiernum diem*] This repetition of *dies* is imitated from the Greek, who often join *τήμερον* with *ἡμέρα*.

2. *Corona*] So Mil. 1. 'Corona consessus vester cinctus est.' It was usually composed of by-standers.—Antony had it of soldiers.

3. *Valvæ Concordiæ*] Within this temple, of which the door was usually open, had been probably placed by Antony an additional body of armed men. Phil. v. 7. 'In cella Concordiæ collocari armatos, latrones, sicarios: e templo, carcerem fieri.' V. E.

4. *Ityræos*] Supr. 8. n. 4.

5. *Præsidii sui*] He turns Antony's defence into a new charge, and thence takes occasion to begin his peroration.

6. *Nonne igitur millies perire*] Dem. Phil. iii. 14. *Τεθράναι γὰρ μυριάκις κρείττον, κ. τ. λ.*

6. *Caritate, &c.*] This is a usual 'locus communis.' Sall. Jug. 10.

7. *Utinam salvis*] He prays that Antony may not be able to slay the senators, before the Roman people

wrest his lawless power out of his hands.

8. *Quoquo*] i. e. Slay us or spare us.

9. *Tertiam pens.*] i. e. 'Tertium maritum.' For her two former husbands, Clodius and Curio, had died violent deaths. The good of his country now requires the third. Supr. 5. n. 6. There is an allusion to the custom of passing money, e. g. a dowry in three gales. *Ern.*

10. *Ad quos*] Sc. Brutus and Cassius.

11. *Qui ubicunque*] He anticipates a boast of Antony, that those heroes dare not approach to the aid of their country, by showing that where they are, the state is also.

12. *Tantummodo ulta est*] Sc. by the death of Cæsar.

13. *Recuperavit*] Which would require yours.

14. *Adolescentes*] Brutus, as prætor, was forty years of age. Mil. 9. n. 6.

bilissimos, paratos defensores. Quam¹⁵ volent, illi cedant, otio consulentes: tamen a republica revocabuntur. Et nomen pacis dulce¹⁶ est, et ipsa res salutaris. Sed inter pacem et servitutem plurimum interest. Pax est tranquilla libertas: servitus postremum malorum omnium, non modo bello, sed morte etiam repellendum. Quod si se ipsos¹⁷ illi nostri liberatores e conspectu nostro abstulerunt, exemplum facti reliquerunt. Illi, quod nemo fecerat, fecerunt. Tarquinium Brutus bello est persecutus: qui tum rex fuit, quum esse Romæ regem licebat. Spurii Cassius, Mælius, M. Manlius propter suspicionem regni appetendi sunt necati. Hi primi cum gladiis, non in regnum appetentem, sed in regnantem¹⁸ impetum fecerunt. Quod quum ipsum factum per se præclarum est atque divinum, tum expositum ad imitandum; præsertim¹⁹ quum illi eam gloriam consecuti sint, quæ vix cœlo capi posse videatur. Etsi enim satis in ipsa conscientia pulcherrimi facti fructus erat, tamen mortali immortalitatem non arbitror esse contemnendam.

XLV. Recordare igitur¹ illum, M. Antoni, diem, quo dictaturam sustulisti; pone ante oculos lætitiā senatus populi que Romani; confer cum hac immani nundinatione² tua tuorumque:³ tum intelliges, quantum inter laudem⁴ et lucrum intersit. Sed nimirum, ut quidam, morbo aliquo et sensus

15. *Quam*] By apocope for 'quantum.' *Forcel.* 'As much as they please.'

16. *Et nomen pacis dulce*] i. e. 'I say that the republic will recall them; for, though peace is a blessing, and though, consulting for its maintenance, they have withdrawn for the present from Rome, yet slavery is not only an evil, but the worst of evils, which neither they nor the Roman people will bear.'

17. *Quod si se ipsos*] Hitherto he showed that the state is supplied with youthful heroes to assist her cause, meaning the conspirators. But it might be urged that they were absent and might never return; no matter, says Cic. They have left an example which will inspire others to emulate their virtue, &c.

18. *Regnantem*] Sc. Cæsarem.—'regnare' here is 'dominari;' its usual meaning in reference to Rome. Cat. i. 12. n. 9.

19. *Præsertim*] The usual ellipsis may be here inserted—*quod nobis faciendum est*;' 'which we ought to do,' sc. imitate, especially, &c. Supr. 24. n. 17.

SECT. XLV.—1. *Recordare igitur*] i. e. 'If, therefore, immortal renown is so valuable, think of the strides you made towards it by taking away the dictatorship.' Phil. i. 1.

2. *Nundinatione*] Al. *numinatione*. Supr. 14. n. 12.

3. *Tuorumque*] Fulvia, and Antony's brothers, Cassius, then prætor, and Lucius, tribune.

4. *Laudem*] For abolishing the dictatorship; 'lucrum,' by selling

stupore, suavitatem cibi non sentiunt; sic libidinosi, avari, facinorosi, veræ laudis gustatum non habent. Sed, si te laus allicere ad recte faciendum non potest, ne metus quidem a foedissimis factis potest avocare? *Judicia non metuis.*⁵ Si propter innocentiam, laudo: sin propter vim, non intelligis, qui isto modo *judicia* non timeat, ei quid timendum sit? Quod si non metuis viros fortes, egregiosque cives, quod a corpore tuo prohibentur armis; tui te, mihi crede, diutius non ferent. Quæ est autem vita, dies et noctes timere a suis? Nisi vero aut majoribus habes beneficiis obligatos, quam ille quosdam habuit ex iis, a quibus est interfectus; aut tu es ulla re cum eo comparandus. Fuit in illo ingenium,⁶ ratio, memoria,⁷ literæ, cura, cogitatio, diligentia; res bello gesserat, quamvis reipublicæ calamitosas, attamen magnas; multos annos⁸ regnare meditatus, magno labore, multis periculis, quod cogitarat, effecerat; muneribus,⁹ mo-

provinces and immunities.

5. *Judicia non metuis*] Having tried the effects of praise, he now addresses himself to Antony's fears.—But he might answer, 'I do not regard your trials.' Granted: but perhaps you will our arms. This was not an idle threat; for Cicero's sanguinary speeches against Antony roused the people to exertions; the effects of which appeared at Mutina, where Antony was defeated, and well nigh taken prisoner. But again, Antony might allege that, protected as he was by personal guards, he did not dread arms. Cic. replies that even his guards will conspire against him. No, replies Antony, for they are bound to me by indissoluble ties of gratitude. Not by greater, rejoins Cic., than were Trebonius, Cimber, &c., &c., to Cæsar; in comparison of whom, Oh, what a difference.

6. *Ingenium*] Plin. Nat. H. vii. 25, exemplifies the abilities of Cæsar: 'Scribere et legere simul; et dictare et audire solitum acceperimus. Epistolas vero tantarum rerum quaternas pariter librariis dictare, aut si nihil

aliud ageret, septenas!'

7. *Memoria*] Deiot. 15. n. 7.—'Memoriam tuam implorat quâ vales plurimum.'

8. *Multos annos*] Suet. Jul. 9, quotes, as would appear, from Cic. 'Cæsarem in consulatu confirmasse regnum, de quo ædilis cogitarat.'—And c. 22, he dates the design from his obtaining the province of Gaul. The former date would give about fifteen years. But any one who reads the dangers and difficulties of his wars, and the fearless exposure of his person in battles, during the nine years which he was absent from Rome, leaving to Cicero and Pompey all the favours of the people, will be disposed to question the fact of any premeditated plan to overturn the liberties of his country. As is usual in all such cases, at every succeeding step, the path opened before him, and what at first appeared insurmountable, became easy and plain.

9. *Muneribus*] Suet. Jul. 26. 39. They consisted of gladiatorial shews, and games of all descriptions.

numentis,¹⁰ congiariis,¹¹ epulis,¹² multitudinem imperitam delenerat: suos præmiis, adversarios clementiæ specie devinxerat. Quid multa? attulerat jam liberæ civitati, partim metu, partim patientia, consuetudinem serviendi.

XLVI. Cum illo ego te dominandi cupiditate conferre possum, ceteris vero rebus nullo modo comparandus es. Sed ex plurimis malis, quæ ab illo reipublicæ sunt inusta,¹ hoc tamen boni est, quod didicit jam populus Romanus, quantum cuique crederet, quibus se committeret, a quibus caveret. Hæc non cogitas? nec intelligis, satis esse viris fortibus didicisse, quam sit re pulchrum, beneficio gratum, fama gloriosum, tyrannum occidere? An, quum illum homines non tulerint, te ferent? Certatim posthac, mihi crede, ad hoc opus curretur, neque occasionis² tarditas expectabitur.

Respice, quæso, aliquando³ rempublicam, M. Antoni: quibus ortus sis, non quibuscum vivas,⁴ considera: mecum,⁵ ut voles; cum republica redi in gratiam. Sed de te tu videris:⁶ ego de me ipse profitebor. Defendi rempublicam adolescens,⁷ non deseram senex: contempsi Catilinæ gladios, non pertimescam tuos. Quin etiam corpus libenter obtule-

10. *Monumentis*] A circus, forum, amphitheatre, temple of Venus Genetrix, &c. Plin. xxxvi. 15, and Suet. Jul. 26. These he did; for what he *designed* to do, vid. Suet. Jul. 44.

11. *Congiariis*] (From 'Congus,' a liquid measure, containing six sextarius or pints,) signified gifts made by generals to the people, usually of wine, oil, &c., but sometimes of money. Suet. Aug. 41. Their gifts to the soldiers were called *donatives*. So Suet. Ner. 7, 'Populo congiarium, militi donativum proposuit;' but this distinction is not always observed. Vid. Att. xvi. 8, where Antony's gift to the Macedonian legions is called a congiary.

12. *Epulis*] Noticed by Plut. Dio. and, particularly, Suet. The first states the number of triclinia at 2200. Pliny mentions the case of Hirtius lending Cæsar 6000 lampries for the

occasion. The other accounts of these feasts are equally surprising.

SECT. XLVI.—1. *Inusta*] Mil. 36. n. 4.

2. *Occasionis*] Fest. 'opportunitas temporis, casu quodam provenientis.'

3. *Aliquando*] On the principle of 'better late than never.'

4. *Non quibus vivas*] Sex. Clodius, Mustela, Saxa, &c.

5. *Mecum*] Sc. 'redi in gratiam.' Terent. Hecyr. v. 1. 'Nostra utere amicitia ut voles.'

6. *Videris*] Used imperatively. 'But do you see to yourself: I have given you fair warning. As for me; my declaration, as touching myself, shall be.'

7. *Adolescens*] The early services of Cic. in the Marsic war, Plut. Cic. 3, are not here alluded to, but, as explained by himself in the following

rim, si repræsentari⁸ morte mea libertas civitatis potest ; ut aliquando⁹ dolor populi Romani pariat, quod jamdiu parturit ! Etenim si abhinc annos prope viginti hoc ipso in templo negavi posse¹⁰ mortem immaturam esse consulari ; quanto verius nunc negabo seni ! Mihi vero,¹¹ Patres conscripti, jam etiam optanda mors est, perfuncto rebus¹² iis, quas adeptus sum,¹³ quasque gessi. Duo modo hæc opto :¹⁴ unum, ut moriens populum Romanum liberum relinquam ; hoc mihi majus ab diis immortalibus dari nihil potest : alterum, ut ita cuique eveniat, ut de republica quisque mereatur.

clause, his consulship.

8. *Repræsentari*] Properly 'to place again before the view,' here to be immediately restored ; a meaning which it seems to take from pecuniary transactions, wherein it was used to signify 'prompt payment.' Vid. Gronov. de Sest. i. 6.

9. *Ut aliquando*] He considers the people to have conceived and to be long in labour of a riddance of Antony ; which he thinks would be facilitated by Antony's having recourse to violence against himself, which he would not oppose, as it would give the people an opportunity to avenge his death.

10. *Negavi posse*] Cat. iv. 2. 'Neque enim turpis mors forti viro potest accidere, neque immatura consulari, nec misera sapienti.' This speech also was made in the temple of Concord.

11. *Mihi vero*] Phil. i. 15. 'Mihi vero satis est quod vixi, &c.'

12. *Rebus*] This word here applies both to the offices which he enjoyed and the exploits which he performed ; 'adeptus' referring to the former, and 'gessi' to the latter. We take the word 'things,' or 'matters,' in the same loose acceptance.

13. *Quas adeptus sum*] 'Quæstura, ædilitas, prætura, consulatus, proconsulatus Ciliciæ, auguratus, supplicationes, nomen imperatoris, &c.' Abram.

14. *Duo—opto*] Similarly, Dem. de Cor. 101. Εἰ δ' ἄρα ἔχουσιν οὕτως ἀνιάτως, τοὺτους μὲν αὐτοὺς καθ' ἑαυτοὺς, ἐξώλεις καὶ προώλεις ἐν γῇ καὶ θαλάττῃ ποιήσαιτε· ἡμῖν δὲ τοῖς λοιποῖς τὴν ταχίστην ἀπαλλαγὴν τῶν ἐπιηρημένων φόβων δότε, καὶ σωτηρίαν ἀσφαλῆ.

The American Medical Association is a national organization of physicians and surgeons, organized for the purpose of promoting the interests of the medical profession and the public health. It was organized in 1847, and has since that time been engaged in a constant effort to improve the medical profession and the public health. The Association is composed of more than 50,000 members, and is the largest and most influential organization of its kind in the world. It has a long and distinguished history, and has been instrumental in many of the most important reforms in the medical profession. The Association is organized into several departments, each of which is responsible for a different aspect of the medical profession. These departments are the American College of Physicians, the American College of Surgeons, the American College of Obstetrics and Gynecology, the American College of Podiatry, the American College of Optometry, the American College of Dentistry, and the American College of Pharmacy. Each of these departments is composed of members who are specialists in their respective fields, and who are engaged in a constant effort to improve the medical profession and the public health. The Association is also engaged in a number of other important activities, including the publication of the Journal of the American Medical Association, the American Medical Directory, and the American Medical Yearbook. It also engages in a number of other important activities, including the publication of the Journal of the American Medical Association, the American Medical Directory, and the American Medical Yearbook.

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M. TULLII CICERONIS

IN

MARCUM ANTONIUM,

NONA*

ORATIO.

I. VELLEM, dii immortales fecissent, Patres conscripti, ut vivo potius Ser. Sulpicio gratias ageremus,¹ quam honores mortuo quæreremus. Nec vero dubito, quin, si ille vir legationem renuntiare² potuisset, reditus ejus et nobis gratus fuerit, et reipublicæ salutaris futurus; non quo L. Philippo³ et L. Pisoni⁴ aut studium aut cura defuerit in tanto officio tantoque munere; sed quum Ser. Sulpicius ætate illos anteciret, sapientia omnes, subito ereptus e causa,⁵ totam legationem orbam et debilitatam reliquit. Quod si cuiquam justus honos habitus est in morte legato, in nullo justior, quam in Ser. Sulpicio, reperietur. Ceteri, qui in legatione mortem obierunt, ad incertum vitæ periculum sine ullo mor-

* Introd. 11.

SECT. I.—1. *Gratias ageremus*] Mil. 35. n. 18.

2. *Legationem renuntiare*] Give an account of.

3. *L. Philippo*] The step-father of Augustus, consul A. V. 697. Ern. contends that the son of that Philip is meant; and this might be more readily conceded, if Cic. did not say, (Phil. viii. 10,) 'nec vos ut legati

apud eum fuistis, nec ut *consulares*;' whereas it does not appear that the son had ever been consul. The Philippi were of the 'gens Marcia.'

4. *L. Pisoni*] Phil. i. 4. 6.

5. *E causa*] Among the various meanings of this word is that of 'business, commission, &c.' Thus, Ver. v. 73. 'Halesinus Æneas, cui senatus dederat publice causam ut mihi fratrique meo gratias ageret.'

tis metu profecti sunt : Ser. Sulpicius cum aliqua perveniendi ad M. Antonium⁶ spe profectus est, nulla revertendi. Qui quum ita affectus esset, ut, si ad gravem valetudinem labor⁷ accessisset, sibi ipse diffideret ; non recusavit, quo minus vel extremo spiritu, si quam opem reipublicæ ferre posset, experiretur. Itaque non illum vis hiemis, non nives, non longitudo itineris, non asperitas viarum, non morbus ingravescens retardavit ; quumque jam ad congressum colloquiumque ejus pervenisset, ad quem erat missus, in ipsa cura et meditatione obeundi sui muneris excessit e vita. Ut igitur alia, sic hoc, C. Pansa, præclare, quod nos ad honorandum Ser. Sulpicium cohortatus es, et ipse multa copiose de illius laude dixisti. Quibus a te dictis, nihil præter sententiam dicerem, nisi P. Servilio respondendum putarem, qui hunc honorem statuæ nemini tribuendum censuit, nisi ei, qui ferro esset in legatione interfectus. Ego autem, Patres conscripti, sic interpretor sensisse majores nostros, ut causam mortis censuerint, non genus esse quærendum. Etenim cui legatio ipsa morti fuisset, ejus monumentum exstare voluerunt, ut in bellis periculosis obirent homines legationis munus audacius. Non igitur exempla majorum quærenda, sed consilium est eorum, a quo ipsa exempla nata sunt, explicandum.

II. Lar Tolumnius,¹ rex Veientium, quattuor legatos populi Romani Fidenis interemit ; quorum statuæ steterunt usque ad meam memoriam in Rostris. Justus honos. Iis enim majores nostri, qui ob rempublicam mortem obierant, pro brevi vita diuturnam memoriam reddiderunt. Cn. Octavii,² clari viri et magni, qui primus in eam familiam, quæ postea viris fortissimis floruit, attulit consulatum, statuam videmus in Rostris. Nemo tum novitati invidebat ; nemo virtutem non honorabat. At ea fuit legatio Octavii, in qua

6. *Ad M. Anton.*] Introd. 11. He was now at Mutina, the modern Modena, lying between the Appenines and the Po.

7. *Labor*] *Al. labor via.*

8. *Ut alia*] *Sc. 'fecisti,'* sic hoc, &c.

9. *C. Pansa*] Now consul.

10. *Sic interpretor*] 'I understand the opinion of our ancestors to have been this, that they decided, &c.'

SECT. II.—1. *Tolumnius*] *Liv. iv.* 17. Fidenæ was a Roman colony which had revolted to Tolumnius.—The Fidenates, by his order, slew the ambassadors sent from Rome. Their names are given below. 'Lar' means 'dominus, princeps.' It was common to the Etrurian kings, as Belus in the east.

2. *Cn. Octavii*] The 'Octavia gens' was distinguished into two fa-

periculi suspicio non subesset. Nam, quum esset missus a senatu ad animos regum perspiciendos liberorumque populorum, maximeque, ut nepotem Antiochi, regis ejus, qui cum majoribus nostris bellum gesserat, classes habere, elephantos alere prohiberet: Laodiceæ³ in gymnasio a quodam Leptine⁴ est interfectus. Reddita est ei tum a majoribus statua pro vita, quæ multos per annos progeniem ejus honestaret, nunc ad tantæ familiæ memoriam sola restaret. Atqui et huic, et Tullo Cluilio, et L. Roscio, et Sp. Antio, et C. Fulcinio, qui a Veientium rege cæsi sunt, non sanguis, qui est profusus in morte, sed ipsa mors ob rempublicam obita, honori fuit.

III. Itaque, Patres conscripti, si Ser. Sulpicio casus mortem attulisset, dolerem quidem tanto reipublicæ vulnere: mortem vero ejus non monumento, sed luctu publico esse honorandam putarem. Nunc autem quis dubitat, quin ei vitam abstulerit ipsa legatio? Secum enim ille mortem extulit; quam, si nobiscum remansisset, sua cura, optimi filii fidelissimæque conjugis diligentia, vitare potuisset. At ille, quum videret, si vestræ auctoritati non paruisset, dissimilem se futurum sui; si paruisset, munus sibi illud pro republica susceptum, vitæ finem fore:¹ maluit in maximo reipublicæ discrimine emori, quam minus, quam potuisset, videri reipublicæ profuisse. Multis illi in urbibus, iter qua faciebat, reficiendi se et curandi potestas fuit. Aderat et hospitum invitatio liberalis pro dignitate summi viri, et eorum horta-

milies; one of which was early advanced to the senatorian dignity, and subsequently reckoned among its sons Cn. Rufus, who was of quæstorian rank. His son was Cn. Octavius, the first consul of the family, who, being sent ambassador with two others, to settle the affairs of Syria, then disturbed by the death of Antiochus Epiphanes, and accession of his son Eupator, and confiding too much in the majesty of the Roman name, was proceeding to execute his commission by burning the fleets and maiming the elephants, when he met the fate stated by Cic. Lysia, the guardian of the young prince, was the supposed instigator of Leptines. Pliny (xxxiv.

3,) contrary to the express words of Cic. Phil. viii. 8,) attributes to this Cn. the resolute act of C. Popilius Lænas; who enclosed Antiochus in a circle drawn by his rod, and insisted on an answer before he crossed it. Of course, the Delph. follows Pliny.

3. *Laodiceæ*] A city of Phrygia Major, on the river Lycus. It was named from Laodice, the wife of Antiochus, its previous name being Diospolis. It was there Dolabella slew himself.

4. *Leptines*] Nothing is known of him. Observe that the *penult* is short.

SECT. III.—1. *Fore*] Al. *allaturum*.

tió, qui una erant missi, ad requiescendum et suæ vitæ consulendum. At ille properans, festinans,² mandata nostra conficere cupiens, in hac constantia, morbo adversante, perseveravit. Cujus quum adventu maxime perturbatus esset Antonius, quod ea, quæ sibi jussu vestro denunciarentur, auctoritate erant et sententia Ser. Sulpicii constituta; declaravit, quam odisset senatum, quum auctorem senatus extinctum læte, atque insolenter tulit. Non igitur magis Lep- tines Octavium, nec Veientium rex eos, quos modo nomina- vi, quam Ser. Sulpicium occidit Antonius. Is enim profecto mortem attulit, qui causa mortis fuit. Quocirca etiam ad posteritatis memoriam pertinere arbitror, exstare, quod fuerit de hoc bello judicium senatus. Erit enim statua ipsa testis, bellum tam grave fuisse, ut legati interitus honoris memo- riam consecutus sit.

IV. Quod si excusationem Ser. Sulpicii, Patres conscripti, legationis obeundæ recordari volueritis, nulla dubitatio relinquetur, quin honore mortui, quam vivo injuriam fecimus, sarciamus. Vos enim, Patres conscripti, (grave dictu est, sed dicendum tamen,) vos inquam, Ser. Sulpicium vita privastis: quem quum videretis re magis morbum, quam oratione, excusantem, non vos quidem crudeles fuistis: (quid enim minus in hunc ordinem convenit?) sed quum speraretis nihil esse, quod non illius auctoritate et sapientia effici posset, vehementius excusationi obstitistis; atque eum, qui semper vestrum consensum gravissimum judicavisset, de sententia dejecistis. Ut vero Pansæ consulis accessit cohortatio gravi- or, quam aures Ser. Sulpicii ferre didicissent, tum vero denique filium meque seduxit, atque ita locutus est, ut auctori- tatem vestram vitæ suæ se diceret anteferre. Cujus nos virtutem admirati, non ausi sumus adversari voluntati. Movebatur singulari pietate filius; non multum ejus perturbationi meus dolor concedebat; sed uterque nostrum cedere cogebatur magnitudini animi, orationisque gravitati; quum quidem ille, maxima laude et gratulatione omnium vestrum, pollicitus est, se, quod velletis, esse facturum, neque ejus

2. *Properans, festinans*] Non., v. 81, makes 'propero' refer to the mind; 'festino,' to the body; but Fest., 'propero' to the speedy exe-

cution of some one thing; 'festino,' to the abortive attempt to perform several things at once. But neither distinction is always observed. *Forcel.*

sententiæ periculum vitaturum, cujus ipse auctor fuisset; quem exsequi mandata vestra properantem mane postridie prosecuti sumus. Qui quidem discedens mecum ita locutus est, ut ejus oratio omen fati videretur.

V. Reddite igitur, Patres conscripti, ei vitam, cui ademistis. Vita enim mortuorum in memoria vivorum est posita. Perficite, ut is, quem ad mortem vos inscii misistis, immortalitatem habeat a vobis. Cui si statuam in Rostris decreto vestro statueritis, nulla ejus legationem posteritatis obscurabit oblivio. Nam reliqua Ser. Sulpicii vita multis erit præclarisque monumentis ad omnem memoriam commendata. Semper illius gravitatem, constantiam, fidem, præstantem in republica tuenda curam atque prudentiam omnium mortalium fama celebrabit. Nec vero silebitur admirabilis quædam et incredibilis, ac pene divina ejus in legibus interpretandis, æquitate explicanda, scientia. Omnes ex omni ætate, qui in hac civitate intelligentiam juris habuerunt, si unum in locum conferantur, cum Ser. Sulpicio non sunt comparandi. Nec enim ille magis juris consultus, quam justitiæ¹ fuit. Ita ea, quæ proficiscebantur a legibus, et ab jure civili,² semper ad facilitatem³ æquitatemque referebat; neque instituere litium actiones malebat, quam controversias tollere. Ergo hoc statuæ monumento non eget: habet illa majora.⁴ Hæc enim statua mortis honestæ testis erit: illa, memoria vitæ gloriosæ; ut hoc magis monumentum grati senatus, quam clari viri futurum sit. Multum etiam valuisse ad patris honorem pietas filii videbitur; qui, quamquam afflicto luctu non adest, tamen sic animati esse debetis, ut si ille adesset. Est autem ita affectus, ut nemo unquam unici filii mortem magis doluerit, quam ille mæret patris. Equidem etiam ad famam Ser. Sulpicii filii arbitror pertinere, ut videatur honorem debitum patri præstitisse. Quamquam nullum monumentum clarius Ser. Sulpicius relinquere potuit, quam effigiem morum suorum, virtutis, constantiæ, pietatis, ingenii,

SECT. V.—1. *Juris con.—justitiæ*] When these words are contrasted as here, ‘jus’ is strict right; ‘justitia,’ equity; as he explains the latter Partit. 22, ‘in moderatione animadvertendi lenitas.’

2. *A legibus ab jure civili*] i. e.

From statute and civil law.

3. *Facilitatem*] This, according to Cicero’s manner, is explained by ‘æquitatem’ following.

4. *Habet illa majora*] Al. *alia majora*.

filium ; cujus luctus aut hoc honore vestro, aut nullo solatio levare potest.

VI. Mihi autem recordanti Ser. Sulpicii multos in nostra familiaritate sermones, gratior illi videtur, si quis est sensus in morte, ænea statua futura, et ea pedestris, quam inaurata equestris, qualis est L. Sullæ¹ primum statuta est. Mirifice enim Servius majorum continentiam diligebat ; hujus seculi insolentiam² vituperabat. Ut igitur, si ipsum consulam, quid velit, sic pedestrem ex ære statuam, tanquam ex ejus auctoritate et voluntate, decerno : quæ quidem magnum civium dolorem et desiderium honore monumenti minuet et leniet. Atque hanc meam sententiam, Patres conscripti, P. Servilius³ sententia comprobare necesse est : qui sepulchrum publice decernendum Ser. Sulpicio censuit, statuam non censuit. Nam si mors legati sine cæde atque ferro nullum honorem desiderat : cur decernit honorem sepulturæ, qui maximus haberi potest mortuo ? Sin id tribuit⁴ Ser. Sulpicio, quod non est datum Cn. Octavio : cur, quod illi datum est, huic⁵ dandum esse non censet ? Majores quidem nostri statuas multis decreverunt : sepulchra paucis. Sed statuæ intereunt tempestate, vi, vetustate : sepulchrorum autem sanctitas in ipso solo est, quod nulla vi moveri, neque deleri potest ; atque, ut cetera extinguuntur, sic sepulchra sanctiora fiunt vetustate. Augeatur igitur isto etiam honore is vir, cui nullus honor tribui non debitus potest ; grati simus in ejus morte decoranda, cui nullam jam aliam gratiam referre possumus. Notetur etiam M. Antonii, nefarium bellum gerentis, scelerata audacia. His enim honoribus habitis Ser. Sulpicio, repudiata rejectæque legationis ab Antonio manebit testificatio sempiterna.

SECT. VI.—1. *L. Sullæ*] The dictator ; *qualis* refers to ‘ænea pedestris.’ Plin. xxxiv.

2. *Insolentiam*] Sumptus nimios. Manut. Fam. ix. 20. Phil. ii. 26. n. 14.

3. *P. Servilii*] The son of Vatia Isauricus, the colleague of Cæsar, A. U. 705. He was prætor in Pompey’s second consulship, and Cicero’s colleague in the augurship. There is a full account of his espousing the

party of Antony against Cicero, Fam. x. 120. ‘Hunc quemadmodum fregerim,’ says Cic. ‘ex aliorum te litteras malo cognoscere.’

4. *Sin id tribuit*] As if something more honourable than what had been bestowed on Cn. Octavius.

5. *Illi—huic*] Refer to the ‘latter,’ and ‘former.’ This often occurs.

VII. Quas ob res ita censeo: QUUM Ser. Sulpicius, Q. F. Lemonia,¹ Rufus, difficillimo reipublicæ tempore, gravi periculosoque morbo affectus, auctoritatem senatus salutemque reipublicæ vitæ suæ præposuerit, contraque vim gravitatemque morbi contenderit, ut in castra Antonii, quo senatus eum miserat, perveniret; isque, quum jam prope castra venisset, vi morbi oppressus, vitam amiserit in maximo reipublicæ munere; ejusque mors consentanea vitæ fuerit sanctissime honestissimeque actæ, in qua sæpe magno usui reipublicæ Ser. Sulpicius et privatus, et in magistratibus, fuerit; quum talis vir ob rempublicam in legatione mortem obierit: Senatui placere, Ser. Sulpicio statuam pedestrem æneam in Rostris ex hujus ordinis sententia statui, circumque eam statuam locum ludis gladiatoribusque, liberos posterosque ejus quoquo versus pedes quinque habere, quod is ob rempublicam mortem obierit eamque causam in basi inscribi; utique C. Pansa, A. Hirtius, consules, alter, anbove, si eis videatur, quæstoribus urbis imperent, ut eam basim statuamque faciendam et in Rostris statuendam locent;² quantique locaverint, tantam pecuniam redemptori³ attribuendam solvendamque curent; quumque antea senatus auctoritatem suam in virorum fortium funeribus ornamentisque ostenderit, placere, eum quum amplissime supremo suo die effierri. Et quum Ser. Sulpicius, Q. F. Lemonia, Rufus ita de republica meritis sit, ut iis ornamentis decorari debeat: Senatum censere atque e republica existimare, ædiles curules edictum, quod de funeribus habeant, Ser. Sulpicii, Q. F. Lemonia, Rufi, funeri remittere;⁴ utique locum sepulchro in campo Esquilino C. Pansa consul, seu quo alio in loco videbitur, pedes triginta quoquo versus assignet,⁵ quo

SECT. VII.—1. *Lemonia*] i. e. 'Ex Lem. tribu.' All Roman citizens were censed in some tribe, which in public formularies and inscriptions was generally added to the name. Sex. Pomp. derives *Lemonia*, 'a Lemonio pago a posta Capena, via Latina.'

2. *Locent*] Contract. Cat. iii. 9. n. 21.

3. *Redemptori*] Hor. Epist. ii. 2.

72. 'Festinat calidus mulis gerulisque redemptor.' Fest. 'antiquitus *emere* pro *accipere* ponebatur.' Hence the meaning of undertaker, or contractor. Manil. 7. n. 10.

4. *Remittere*] Remit the strictness of, in the case of Ser. Sulpicius. Al. *mittere*, i. e. 'proponere,' but with no clear sense.

5. *Assignet*] Phil. ii. 7. n. 9.

Ser. Sulpicius inferatur; quod sepulchrum ipsius, liberorum posterorumque ejus esset, uti quod⁶ optimo jure publice sepulchrum datum esset.

6. *Uti quod*] Sc.*utpote*. 'As being the public expense, and by the best a sepulchre which has been given at right.'

FINIS.

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